

# Wisconsin 2024-2026 Three-Year Plan and Proposal Narrative

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## Introduction

### ***34 U.S.C. § 11133(a)(1)***

The Wisconsin Department of Justice (WI DOJ) is designated in Wis. State Statute Sec. 165.25 as the sole agency (Designated State Agency or DSA) responsible for supervising the preparation and administration of the Title II Three-year Plan.

### ***34 U.S.C. § 11133(a)(2)<sup>1</sup>***

**Wis. Stat. § 165.25 Duties of department of justice** states that the department of justice shall:

- (13) Juvenile justice improvement plan. Serve as the state planning agency under the juvenile justice and delinquency prevention act of 1974, P.L. 93-415. The department shall prepare a state comprehensive juvenile justice improvement plan. The plan shall be submitted to the governor, the joint committee on finance in accordance with § 16.54, and to the appropriate standing committees of each house of the legislature as determined by the presiding officer of each house. The plan shall be updated periodically and shall be based on an analysis of the state's juvenile justice needs and problems.
- (14) Cooperation and assistance. Cooperate with and render technical assistance to state agencies and units of local government and public or private agencies relating to the criminal and juvenile justice system.

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<sup>1</sup> Compliance Monitoring Manual Element 2 – Monitoring Authority pages 21-23.

## SAG

### General

**34 U.S.C. § 11133(a)(3)(D)(i):** The Governor's Juvenile Justice Commission (GJJC) functions as the State Advisory Group as required in 34 U.S.C. § 11133(a)(3)(A). It was established by Governor Tony Evers through Executive Order #43 in September 2019.<sup>2</sup>

**34 U.S.C. § 11133(a)(3)(A):** The GJJC is in full compliance with all membership requirements of the JJRA.<sup>3</sup>

**34 U.S.C. § 11133(a)(3)(D)(ii):** Biannually, WI DOJ staff write and submit a report including necessary recommendations regarding state compliance with the core requirements to the Governor and state legislature.<sup>4</sup>

### Three-Year Planning

#### **34 U.S.C. § 11133(a)(3)(B)**

The GJJC advises the WI DOJ on JJDPa compliance, Title II grant funding administration, and three-year strategic planning. The GJJC developed and reviewed the state's 2024-2026 Three-Year Strategic Plan. WI DOJ staff presented information about compliance, policy initiatives, delinquency trends, and disparities to each subcommittee and the full Commission. The subcommittees developed initiatives that address specific needs related to their policy domains.

WI DOJ staff presented Wisconsin's compliance report to the Policy, Legislative, and Compliance (PLC) Subcommittee. Throughout the year, the PLC Subcommittee monitored policies in the state legislature and educated policy makers about best practices. PLC assessed the achievability of past strategic goals. In the fall, the PLC Subcommittee met and considered a draft of the areas of need, goals,

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<sup>2</sup> Attachment A: Executive Order 43.

<sup>3</sup> Attachment B: Complete SAG Roster.

<sup>4</sup> Attachment C: GJJC Biannual Report to the Governor and Legislature.

and action steps related to compliance and policy. Members provided feedback on phrasing and outcomes that WI DOJ staff incorporated into draft goals and objectives.

WI DOJ staff provided comprehensive racial and ethnic disparities data covering 2020-2023 for all five contact points to the Ethnic and Racial Disparities (ERD) Subcommittee. The data identified several possible areas of need. WI DOJ presented the data to members of the Youth Voice Commission (YVC) and individuals detained in a local Juvenile Detention Center. The youth provided feedback on the data and a vision for a fair juvenile justice system. WI DOJ staff shared the youth feedback with the ERD Subcommittee. The ERD Subcommittee considered the data, youth feedback, and past goals and action items to develop a new plan continuing existing initiatives and expanding their education efforts.

During the November 14, 2023, Quarterly Commission Meeting, WI DOJ staff and the Department of Children and Families staff reported data on the current state of juvenile delinquency. The GJJC reviewed the goals and objectives of each subcommittee and the Youth Voice Commission's planned projects. The GJJC used the information to decide funding priority areas and plan their initiatives for the 2024 Title II Formula Grant and 2024-2026 Three-Year Strategic Plan.

***34 U.S.C. § 11133(a)(22)(B)***

During the second and third years of the three-year cycle, the GJJC reviews the existing three-year plan, reflects on progress towards achieving their goals, and determines whether they must update the plan or funding priorities. WI DOJ staff report on progress made by subgrant recipients, by WI DOJ, and the GJJC. The subcommittees review their goals and objectives, and members determine if they must adapt the plan to address new conditions. The full commission meets to review the document, reflect on achievements and progress, and determine changes to funding priorities for the coming year. The full commission or the Executive Subcommittee reviews and approves the revised Three-Year Strategic Plan before WI DOJ submits it to OJJDP with the annual Title II Application.

**34 U.S.C. § 11133(a)(3)(D)(iii):** WI DOJ staff organize listening sessions with youth currently placed in juvenile detention centers. WI DOJ staff conducted two listening sessions in 2023, one in 2024, and planned more for future months. Youth learn information about the juvenile justice system during the listening sessions. Youth then answer questions about their experiences and opinions on the system. With the youth's permission, WI DOJ staff share the feedback with the GJJC and incorporated into the Three-Year Plan and Racial and Ethnic Disparities Reduction Plan.

**34 U.S.C. § 11133(a)(4)**

WI DOJ staff surveyed local juvenile justice and stakeholder agencies and professionals. WI DOJ sent the survey to county human services departments, police departments and sheriff's offices, district attorneys, state public defenders, superintendents of juvenile detention centers, social workers, state courts, and local youth serving nonprofit agencies. Over 200 individuals responded. 85% of counties had at least one response, and three of Wisconsin's eleven federally recognized tribes responded. Rural, urban, and suburban areas were all well represented.

Survey respondents provided information on the most important or serious juvenile justice problem facing their jurisdiction, existing and needed tools to address the problems and reduce delinquency, and their local jurisdiction's awareness of and response to racial and ethnic disparities. WI DOJ staff analyzed and reported survey results to the GJJC. During the November 2023 Quarterly meeting and three-year strategic planning session, GJJC members developed funding priorities responding to stakeholder needs.

**Grants Management**

**34 U.S.C. § 11133(a)(3)(C):** The GJJC implemented a policy for fair, impartial, and competitive review of juvenile justice grant applications.<sup>5</sup> A workgroup comprised of Governor appointed GJJC members reviews all Title II subgrant applications using established criteria. The grant review process identifies the

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<sup>5</sup> Attachment D: for the Grant Application Review Process.

projects that best meet federal funding, state priority, and program design goals. Commissioners are not permitted to review grants when there is a conflict of interest, bias, or an inappropriate consideration concern.

**34 U.S.C. § 11133(a)(9):** WI DOJ allocates at least 75% of the total Title II funds provided to the state, less the amount set aside for the SAG, to grants or contracts with priority in funding given to entities meeting the criteria for evidence-based or promising programs detailed in the A-W Program Areas.<sup>6</sup> The GJJC selects the funding purpose areas from the OJJDP list of A-W each year through the Three-Year Strategic Planning or Annual Review process. All subgrant opportunities distributing this funding align with the selected purpose areas. Every Grant Announcement includes a list of GJJC priorities, including a preference for evidence-based and promising programs. When the grant workgroup reviews and scores applications, those that plan to use an evidence-based or promising program or practice in their program design receive extra points.

**34 U.S.C. § 11133(a)(3)(E)(ii):** WI DOJ staff update the GJJC about newly funded projects during Commission and subcommittee meetings. Subrecipients submit quarterly program and fiscal reports to WI DOJ showing their program's accomplishments. During a GJJC quarterly meeting, subrecipients present on their program design, goals and objectives; positive or negative impacts of the program; partnerships developed; and lessons learned that would be helpful to others implementing similar programs.

## **Problem Statement**

### **34 U.S.C. § 11133(a)(7)(A)**

#### **Youth Risk: Individual, Family, and Community**

The 2021 Wisconsin Youth Risk Behavior Survey showed that students of color, students with physical disabilities or chronic health conditions, students receiving special education services, students facing food

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<sup>6</sup> The Budget Detail and Budget Narrative specify the selected Program Areas.

insecurity, and students who are lesbian, gay, bisexual, or transgender (LGBT) reported fewer supports and more challenges. Female students reported experiencing more challenges and more supports.<sup>7</sup>

The survey explained that protective factors are “positive influences [that can] protect youth from risk behaviors and some forms of victimization.” Protective factors correlate with feelings of belonging and being less likely than other students to report depression. Most students surveyed reported that they have a supportive adult in their life. Students with lower grades reported fewer protective factors including participating in fewer extracurriculars, having fewer supportive people in their lives, and fewer feelings of belonging as compared to youth with higher grades. White students were more likely than Hispanic/Latina or Black students to report having a supportive adult in their lives.

Many youth reported anxiety (52%), depression (34%), and even self-harm (22%) despite high levels of protective factors. Over 200 surveyed stakeholders ranked behavioral health, mental health, trauma, and substance use disorders as the most serious issue in juvenile justice in their jurisdiction.

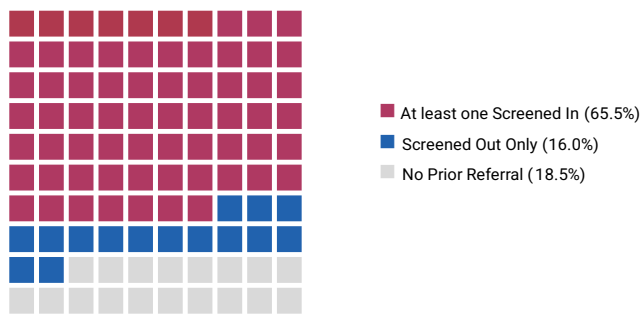
Risk behaviors around alcohol and other drug use have either declined or stayed the same as compared to previous years. Though the percentage of students who reported ever having a drink decreased from 2019, it remains high at 49.3%. 24.8% of students have ever used marijuana. 11.2% of students reported prescription painkiller abuse. 10.2% of students were offered or sold drugs at school.

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<sup>7</sup> The Center for Disease Control (CDC) and Wisconsin Department of Public Instruction conduct the Youth Risk Behavior Survey on a randomized representative sample of Wisconsin students.

Both neglect and living with someone experiencing depression or suicidality are considered Adverse Childhood Experiences (ACEs). Youth reported challenges at home and at school. 2.7% of students reported going hungry “most of the time” or “always.” Nearly a quarter of students reported experiencing hunger during the past 30 days. Hispanic/Latina students, and students with low grades were most likely to experience hunger. 10.9% of students reported that they “never” or “rarely” had an adult to provide for their basic needs and “40.5% of all students reported ever having lived with someone who was depressed, mentally ill, or suicidal. This rate was highest for females... and Hispanic/Latina students.”

2022 YJ Referred Youth with Prior CPS Referral(s)



Family dysfunction and abuse or neglect concerns can prompt referrals to Child Protective Services (CPS). In 2022, a significant majority of youth referred to youth justice intake had a prior

CPS referral. CPS screens in referrals if at least one allegation met the statutory requirements for child abuse and/or neglect. Once screened in, cases go through an initial assessment and service provision begins. CPS screens out cases where the allegations do not meet the statutory requirements for abuse and/or neglect.<sup>8</sup> While not all screened-in cases may reveal substantiated maltreatment, the assessment process can be disruptive on its own.

Individual, family, and community conditions impact student well-being. The YRBS survey identified students experiencing housing instability and neighborhood violence. Students of color were much more likely than White students to have moved multiple times. Multiple moves can disrupt a student’s education. Moving due to financial instability, family violence, or other stressful experiences can impact a young

<sup>8</sup> WI DCF, [An Overview of the Child Protective Services \(CPS\) Process.](#)

person's health, education, and long-term opportunities. 18.2% of students reported witnessing a physical attack in their neighborhood.<sup>9</sup> Black and Hispanic/Latina students were more likely than White students to report having witnessed physical violence in their neighborhood. Students who witnessed an attack in their neighborhood also reported higher rates of anxiety than their peers who live in a safe neighborhood.

### Educational Needs

Students who are chronically absent from school are “more likely to miss early learning milestones; less likely to graduate on time; more likely to drop out of school; [and] more likely to experience poor outcomes in adulthood. Unexcused absences also impact communities[.] High rates of truancy have been found to be associated with higher rates of daytime criminal activity.”<sup>10</sup> The use of exclusionary disciplinary tools like out-of-school suspensions and expulsions leads to missed days of instruction. Research “has tied exclusionary practices to a host of negative outcomes including lower levels of attendance, self-esteem, academic performance, and graduation as well as higher levels of anxiety, dropout, delinquency, victimization, and arrest.”<sup>11</sup>

Wisconsin Department of Public Instruction data on out-of-school suspensions, expulsions, and incidents resulting in school discipline shows that the incidence rate for 2022-2023 increased to 10% from 8.5% in 2018-19. A large majority of incidents (54,932) were Other Violations of School Rules, while fewer incidents involved Endangering Behavior (16,201), Drugs and Alcohol (5,574), Assault (4,312), and Weapon Related incidents (1,141). Most incidents resulted in out-of-school suspensions, while only 781 resulted in expulsions. Economically disadvantaged students were more likely to be suspended and made up a larger number of expelled students. Though economically disadvantaged youth made up only 41.2%

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<sup>9</sup> Physical attacks include beatings, stabbings, or shootings.

<sup>10</sup> [WI DCF Youth Justice Issue Brief No. 3](#), 1/2021.

<sup>11</sup> Welsh & Little, 2018 cited in “Exploring the School-to-Prison Pipeline: How School Suspensions Influence Incarceration During Young Adulthood” by Paul Hemez, John J. Brent, and Thomas J. Mowen, in *Youth Violence Juv Justice*. 2020 Jul; 18(3): 235–255. Published online 2019 Oct 31. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8277150/>.

of enrollments in 2022-2023, their incidence rate was 18%, compared to 4.3% for economically privileged youth. The attendance rate for all students in 2022-2023 was 91.9%. The Chronic Absenteeism rate increased during the pandemic to a peak of 22.7% in 2021-22 (up from 12.9 in both 2018-19 and 2019-20). In 2022-2023 approximately 149,491 (19.5%) students were chronically absent from school. These high rates of absenteeism and exclusionary discipline have negative impacts on youths' well-being and demonstrate schools' lack of resources to respond to student behaviors.

### Offenses and Services

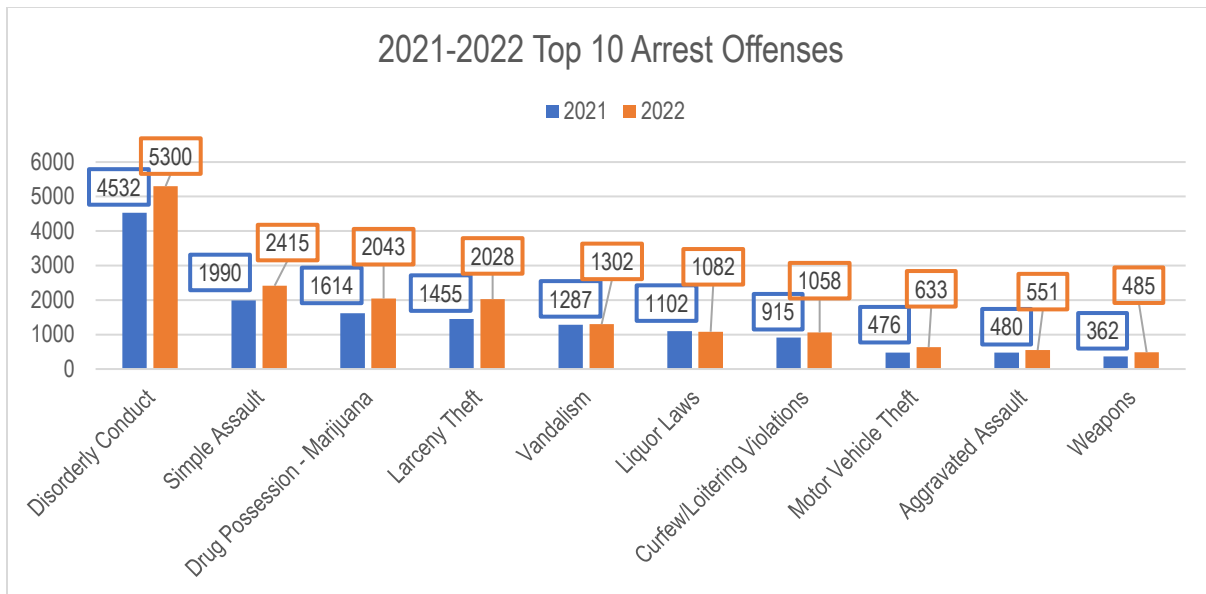
WI DOJ's analysis of youth arrest and youth justice referral data revealed patterns in juvenile offending. Disorderly conduct was the most common<sup>12</sup> alleged offense for youth arrested and referred to youth justice.<sup>13</sup> There were less than half as many arrests for Simple Assault as there were for Disorderly Conduct, despite being a common arrest offense. Violent Crimes accounted for the smallest number of both arrests and referrals. The most common violent offense was Aggravated Assault.<sup>14</sup> There were significant gender disparities in violent offenses with males being arrested for the vast majority of rapes and robberies and over half of aggravated assaults. The chart below shows the most common arrest offenses in 2021 and 2022.

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<sup>12</sup> Attachment E: DOJ Arrest Offenses. Most common, excluding "Other Offenses." The "Other Offenses" category includes violations of all other statutes not covered by the DOJ UCR offense list. The "Other Offenses" category includes municipal and ordinance citations. Other Offenses is a large category for both arrests and youth justice referrals. It was excluded due to its complexity and our inability to draw conclusions about trends within the category.

<sup>13</sup> Disorderly conduct made up 20% of all arrest offenses in 2022 for youth under age 18.

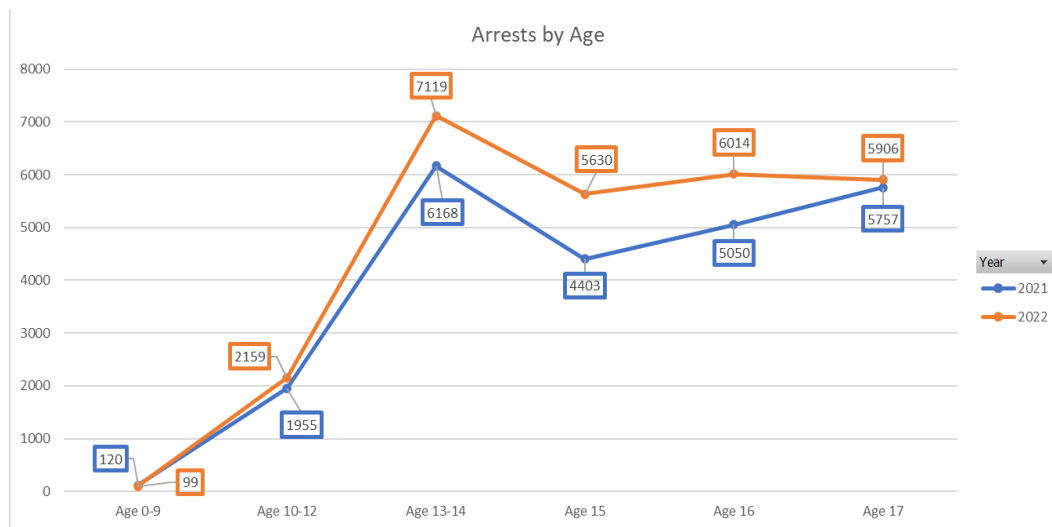
<sup>14</sup> Aggravated assault made up 2% of all arrest offenses in 2022 for youth under age 18.



Society Crimes and Property Crimes together make up seven of the top ten most common arrest offenses.

There were no arrests of youth in 2021 or 2022 for Human Trafficking for Commercial Sex Acts or Involuntary Servitude, and Gambling. There were arrests for Prostitution & Commercialized Vice in both 2021 and 2022. There is no regional pattern for these arrests. While there were very few youth arrests for prostitution, any number is a concern. The Policy, Legislation, and Compliance Subcommittee wrote a letter to the Legislature advocating for decriminalizing prostitution for any youth under age 18 to address this contradiction.

Data indicates that few youth under age 10 were arrested and many more youth aged 13-14 were arrested than younger youth. There were fewer arrests for youth aged 15, 16, and 17 in both 2021 and 2022 as compared to youth aged 13-14.



In most offense categories, there is a significant jump in arrests when youth turn 13 and a decrease when youth turn 15-16. Drug crimes (which includes marijuana, cocaine, other dangerous, and synthetic and does not include alcohol or tobacco) is the only category that does not have this trend. There is a jump in drug offenses for youth aged 13-14 and then arrests increase through ages 15-16.

Many (but not all) arrests result in a youth justice referral. Youth justice referral data indicates that most referral incidents occurred in the community (46.7% in 2022), school (32.4% in 2022), and home (20% in 2022). Referrals from out of home placements and detention were uncommon. Law enforcement were by far the most common referral source (89% in 2022). This is likely because law enforcement is the referral source for delinquency referrals whether from the community or schools. Schools can only make referrals for truancy.

Local human services agencies, law enforcement, and schools indicate that the system is not equipped to respond to youths' challenges. Stakeholder survey respondents highlighted a lack of sufficient mental health and behavioral health services as particularly acute. They expressed a need for in-home service options to respond to family issues, and mentors to support struggling youth. Respondents repeatedly emphasized issues with a lack of service providers, long waitlists, lack of staff capacity, and lack of capacity to provide services for high needs/high acuity youth in the juvenile justice system.

System stakeholders identified several programs to help respond to these community issues.

Mental health services were the most requested, followed by family and parenting services, alternatives to detention, positive youth development, academic and school supports, and mentoring services. If implemented, these programs would help prevent delinquency and respond to truancy.

### Problem Summary

The data demonstrates the challenges Wisconsin's youth and youth services face. It starts with individual youth: young people in Wisconsin are feeling anxious and stressed. Many youth experience dysfunction at home or in their neighborhood. These experiences carry over into school where, though they report having supportive adults in their lives, youth feel less supported by their teachers and connected to their school community. Chronic absenteeism and exclusionary discipline methods are statewide issues. Youth engage in disruptive behaviors both at school and in the community leading them into the juvenile justice system through arrest and referral. Youth serving staff including educators, law enforcement officers, human/social services and court intake staff don't have enough resources to respond to youth mental health challenges, family dysfunction, and behavioral challenges. From this assessment, multiple areas of need are identified and prioritized:

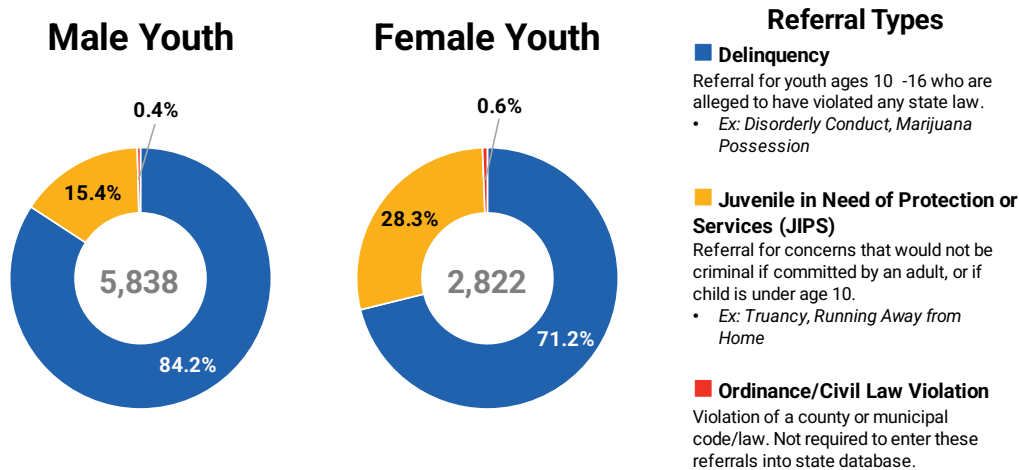
- Mental and behavioral health.
- School belonging, absenteeism, suspension, and expulsion.
- Delinquency: especially early intervention for younger youth (ages 13-14) and diversion for minor, nonviolent, and common offenses like disorderly conduct.

### ***34 U.S.C. § 11133(a)(7)(B)(i)***

Arrest and referral data indicates that there are fewer females involved in the juvenile justice system than males. Approximately 2/3rds of arrests are of male youth. The difference carries over to youth justice

referrals. However, referral data indicates that there are differences in the types of referrals received by males and females.

## 2022 YJ Referred Youth Gender & Referral Types



The chart indicates that female youth are more likely than their male peers to be referred for non-delinquency concerns including truancy or status offenses.

The Youth Risk Behavior Survey indicates that females are slightly more likely than their male peers to report experiencing anxiety or depression. Out of home care options for females has been an area of need in the past as most residential programs and facilities are for males only. The gap in placements in high-intensity residential mental health programs like Mendota Juvenile Treatment Center (MJTC) was especially critical since MJTC is only open to males. To address this gap in service, Wisconsin provided funding to expand MJTC to a larger facility and open a certain number of beds in the facility to female youth with high-acuity mental health needs. However, additional efforts are still needed to expand female-specific prevention and early intervention services.

## Priorities, Goals, and Objectives

### **34 U.S.C. § 11133(a)(7)(A)**

VISION: The GJJC envisions a state in which all youth and families are safe, healthy, educated, supported equitably, and provided opportunities to achieve their full potential.

MISSION: The GJJC strives to positively impact youth and families through a racial justice lens by promoting front-end reforms that prevent youth from becoming involved in the juvenile justice system. This will be accomplished through trauma and evidence-informed interventions that invest in families, schools, and diversion-focused community-based programs.

STRATEGY: The GJJC will utilize state and local partnerships, in conjunction with meaningful engagement with youth and families, to enhance collaboration within the juvenile justice system. The GJJC will leverage state and federal resources and funding to support local jurisdictions and organizations to accomplish the goals of this plan, while providing leadership and expertise to Wisconsin residents, state agencies, policy makers, and the Governor on juvenile justice matters.

The GJJC and WI DOJ developed the following Three-Year Strategic Plan to pursue these goals and maintain compliance with the JJDPA core requirements. The plan sets forth the initiatives planned for the next three years as well as the funding priorities for the Title II Formula Grant.

<b>FUNDING PRIORITIES</b>	
Purpose Area (C) Delinquency Prevention	Mental health services for at-risk youth as a prevention program and for court-involved youth to prevent recidivism.
	Prevention activities, including early interventions, mentoring, deflection, school-based and neighborhood supports.
	Wraparound supports for youth and their families.
Racial and Ethnic Disparities	Programs, research, or other initiatives primarily to address the disproportionate number of youth members of minority groups who come into contact with the juvenile justice system, pursuant to the requirement at 34 U.S.C. § 11133(a)(15).
Tribal Programs	Funding including the Indian Tribes pass through and other funds to support programs that address juvenile justice and delinquency prevention issues for Native American and Alaska Native youth.

<b>GENERAL PRIORITIES</b>	
Interagency collaboration	Making a positive impact on juvenile delinquency prevention and intervention is often more likely when multiple agencies communicate and partner to address challenges. Grants will prioritize funding programs that include interagency collaboration.
Data-informed decision-making	To direct funding where it is most needed and will be most effective, grant opportunities will request applicants provide qualitative and quantitative data showing why the program is needed and how the intervention will solve the problem. Programs that use evidence-based or promising programs or practices will be prioritized for grant funding.
Accessible grant process	Ensure grant application and reporting process is accessible, streamlined, and clear: the GJJC will prioritize offering grants that 1) meet the identified needs of local jurisdictions, 2) improve grant distribution and outreach to ensure more eligible agencies are aware of the opportunities available, and 3) ensure the application process is clear and efficient.
<b>ETHNIC AND RACIAL DISPARITIES REDUCTION GOALS AND OBJECTIVES</b>	
Priority 1	All juvenile justice stakeholders and decision makers acknowledge the presence of racial and ethnic disparities, show an understanding of their influence over decisions that produce disparities, and have access to available and effective disparity reduction strategies.
Goal 1: RESEARCH	Research and learn through collaboration
	Objective 1.1 The ERD Subcommittee will solicit input from experts and individuals with lived experience in the juvenile justice system about what factors create disparities in Wisconsin and effective solutions for reducing disparities.
Goal 2: EDUCATION	Educate stakeholders
	Objective 2.1 The ERD subcommittee will bring stakeholders together to review evidence-based and promising interventions to reduce disparities. The collaboration would include individuals who work to implement best practices, those who make decisions about youth's cases, community members, and youth with lived experience in the juvenile justice system.
	Objective 2.2 WI DOJ will ensure racial and ethnic disparity data is publicly available and accessible to a variety of audiences
	Objective 2.3

	ERD Subcommittee members and WI DOJ staff will partner to present R/ED data and reduction best practice information to juvenile justice stakeholders and decision makers.
Goal 3: FUNDING	Fund disparity reduction projects
	Objective 3.1 WI DOJ will fund agencies' efforts to collect data, identify local disparities, and identify root causes of disparities.
	Objective 3.2 WI DOJ will fund trainings, programs, and strategic interventions that reduce disparities.
	Objective 3.3 Where feasible, WI DOJ will request applicants for Title II Subgrant funding provide a description of how their program will contribute to reducing disparities.
Goal 4: DATA ANALYSIS	The Title II Racial and Ethnic Disparities Reduction Plan will include a data analysis from each of the five OJJDP contact points.
	Objective 3.1 WI DOJ will collect and improve data quality and analysis accuracy by 1) identifying data gaps in the R/ED Reduction Plan, 2) collaborating with local and state agencies to collect their data at each contact point, and 3) collaborating with local and state agencies to analyze and contextualize data.
<b>POLICY, LEGISLATION, AND COMPLIANCE GOALS AND OBJECTIVES</b>	
Priority 1	Maintain state compliance with the Juvenile Justice and Delinquency Prevention Act (JJDP)
Goal 1: COMPLIANCE	WI DOJ will be equipped with tools, funding, and information necessary to monitor for compliance, provide technical assistance to agencies subject to the core requirements, and manage necessary data. Secure and nonsecure agencies will understand their role in maintaining compliance and have effective policies and procedures to adhere to the core requirements, report holds and violations, and collaborate with WI DOJ.
	Objective 1.1 The WI DOJ Compliance Monitors will monitor facilities for compliance with the core requirements of the JJDP and provide training, technical assistance, and recommendations as necessary.
	Objective 1.2 The GJJC will advise WI DOJ staff on funding priorities that ensure compliance with the requirements of the Title II Formula Grant program.

	<p>Objective 1.3</p> <p>In the event of federal changes to compliance procedures, standards, or thresholds, WI DOJ and the GJJC will collaborate to ensure that programs and funding continue to meet the federal requirements, including updating WI DOJ compliance monitoring procedures and preparing educational memos to stakeholders, law enforcement, and judicial partners.</p>
	<p>Objective 1.4</p> <p>In the event of noncompliance, the GJJC will advise and assist WI DOJ to promote actions with juvenile justice system partners to bring the state back into compliance with the JJDPA.</p>
	<p>Objective 1.5</p> <p>The GJJC will assist WI DOJ in educating and informing juvenile justice stakeholders of annual OJJDP compliance thresholds and any legislative, policy, or state agency action necessary to maintain state compliance with the JJDPA.</p>
	<p>Objective 1.6</p> <p>The GJJC will continue to educate juvenile justice stakeholders on the importance of not placing status offenders in juvenile detention facilities for longer than seven days, to meet the requirements of the JJDPA Valid Court Order (VCO) Exception, which is less than the 10-day period permitted by Wisconsin statute.</p>
<p>Goal 2: DATA COLLECTION</p>	<p>WI DOJ will collect data required for OJJDP compliance reporting and will update the GJJC on data collected.</p>
	<p>Objective 2.1</p> <p>The WI DOJ Compliance Monitors will utilize and maintain the state's compliance monitoring universe and track necessary data elements to ensure state compliance with the core requirements of the JJDPA. WI DOJ will report compliance data to OJJDP as required and present compliance data to the GJJC at least annually.</p>
	<p>Objective 2.2</p> <p>The GJJC will advise WI DOJ and other state agencies on areas to prioritize, streamline, and improve data collection platforms utilized by juvenile justice stakeholders and agencies.</p>
	<p>Objective 2.3</p> <p>WI DOJ will collaborate with state agencies and other system stakeholders to assess current data collection and sharing processes, in addition to conducting a system analysis on current data collection resources and needs.</p>
<p>Priority 2</p>	<p>Promote policy and legislative improvements to the juvenile justice system using a racial equity lens, informed by science, evidence, and in partnership with all three branches of government and all political parties.</p>

Goal 1: RAISE THE AGE	Wisconsin will amend state statute to fully return all 17-year-olds to the juvenile justice system.
	Objective 1.1 The GJJC will make written and verbal recommendations to the legislature and the Governor that support the return of 17-year-old youth to the juvenile justice system.
	Objective 1.2 The GJJC will engage in outreach with local system partners to build support and encourage advocacy for the legislative change.
Goal 2: ADVOCACY	The GJJC will educate legislators, the Governor, and juvenile justice stakeholders regarding best practices and policies for responding to juvenile delinquency and status offenses. The GJJC will prioritize education regarding the role of adolescent brain development in behavior, evidence-based policies and practices, and advocate for policy changes in each domain that improve public safety, promote racial equity, and better outcomes for youth and their families.
	Objective 2.1 The PLC Subcommittee and WI DOJ staff will monitor legislative reports, bills, executive orders, and court cases for emerging issues.
	Objective 2.2 The PLC Subcommittee and WI DOJ staff will research evidence-based legislation, policies, and practices related to emerging issues in Wisconsin.
	Objective 2.3 The PLC Subcommittee will draft statements, position papers, or other materials to educate audiences on evidence-based policies and practices.
	Objective 2.4 The PLC Subcommittee will conduct outreach efforts and provide educational opportunities for juvenile justice stakeholders and decision makers about priority topics.

**34 U.S.C. § 11133(a)(7)(A)**

The funding priorities for 2024-2026 directly respond to the needs identified through the delinquency problems analysis. Mental health issues and dearth of mental health services are significant problems facing numerous communities. Wisconsin will direct a portion of the Title II grant award to local agencies to increase capacity of local mental health providers and programs to ensure adequate service levels both for at-risk youth as a form of prevention and to court-involved youth to address their needs and

prevent recidivism. Grants will aim to increase the number and quality of mental and behavioral health services and substance use treatments available to youth at risk of involvement in the juvenile justice system, when they first encounter the juvenile justice system, and during their involvement with the system. The programs aim to provide needed supports to youth to help them gain positive coping skills and reduce incidents of anxiety and depression.

Wisconsin will fund prevention activities, including early interventions, mentoring, deflection, school-based and neighborhood supports. These programs will aim to address youth risk behaviors, increase protective factors, and support youth belonging at school, within their family, and neighborhood.

Lastly, Wisconsin will fund programs that aim to reduce racial and ethnic disparities and support Native American and tribal youth. The data in the Racial and Ethnic Disparities Reduction Plan shows that disparities persist at many contact points in the juvenile justice system. Funding programs that aim to reduce bias and improve outcomes for Black, Native American, and Hispanic/Latina youth remain a priority of the GJJC.

***34 U.S.C. § 11133(a)(7)(B)(iv)-(v):*** The GJJC will fund wraparound supports for youth and their families. They acknowledge the key role that the family environment has on youth well-being and success. Priority will be given to programs that incorporate families in the intervention to address family-risk factors and support youth with their families and in their home. WI DOJ will offer grants that aim to address family-risk factors, support youth within their homes and families, reduce the reliance on out of home placements, secure detention, and correctional confinement, support youth reentry, and holistically address youth and families' needs. Priority will be given to programs that aim to "provide alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate" and "reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs."

**34 U.S.C. § 11133(a)(7)(B)(vii):** The GJJC will fund prevention and early interventions such as mentoring, deflection, diversion, school-based and neighborhood supports. The stakeholder survey, arrest and referral data revealed that low-level offenses like disorderly conduct are most common and that school-based misbehavior accounts for many issues. Grant funds will support local school, community, and county-based interventions for at-risk youth that holistically respond to assessed risks and needs. The grants will provide youth with positive alternatives to negative behaviors and delinquent activity. The grants aim to provide school staff, law enforcement, county human services agencies, and local youth serving agencies with viable alternatives to exclusionary and punitive responses to low-level misbehavior. Programs will support the use of “community-based services to respond to the needs of at-risk youth or youth who have come into contact with the juvenile justice system.” Together, these priorities provide the foundation for subgrant opportunities in the coming years.

**34 U.S.C. § 11133(a)(7)(B)(ii), (iii), (vi):** In all grant announcements, priority is given to programs that incorporate specific focus areas determined by the Three-Year Strategic Plan. In addition to the priorities described above, priorities include programs that provide gender-specific services for the prevention and treatment of juvenile delinquency, especially for youth that identify as female, Lesbian, Gay, Bisexual, or Transgender (LGBT); programs that provide needed services for juvenile delinquency prevention and treatment in rural areas; and, where appropriate, engage family members in the design and delivery of juvenile delinquency prevention and treatment services. Programs that clearly incorporate these priorities and include a robust plan to implement these focus areas in their program implementation receive additional points in their grant scoring.

## Assurances

### Core Requirements

**34 U.S.C. § 11133(a)(11)(A):** Wisconsin complies with the Deinstitutionalization of Status Offenders (DSO) requirement.<sup>15</sup>

**34 U.S.C. § 11133(a)(11)(B):** Wisconsin complies with the Interest of Justice (223 (a)(11)(B)) requirement.<sup>16</sup>

**34 U.S.C. § 11133(a)(12):** Wisconsin complies with the Sight and Sound Separation requirement.<sup>17</sup>

**34 U.S.C. § 11133(a)(13):** Wisconsin complies with the Jail Removal requirement.<sup>18</sup>

**34 U.S.C. § 11133(a)(14):** Wisconsin provides for an effective system of monitoring jails, lockups, detention facilities, and correctional facilities to ensure that the core requirements are met and results of such monitoring are annually reported to the Administrator.<sup>19</sup>

**34 U.S.C. § 11133(a)(15):** Wisconsin implements policy, practice, and system improvement strategies to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system.<sup>20</sup>

**34 U.S.C. § 11133(a)(23):** Wisconsin complies with the Valid Court Order requirement.<sup>21</sup>

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<sup>15</sup> Compliance Monitoring Manual, Compliance with the Core Requirements section 1. Deinstitutionalization of Status Offenders (DSO) Requirement on page 2-6.

<sup>16</sup> Compliance Monitoring Manual, Compliance with the Core Requirements section 2. Removing Juveniles Charged as Adults Requirement on pages 7-9.

<sup>17</sup> Compliance Monitoring Manual, Compliance with the Core Requirements section 3. Sight and Sound Separation Requirement on pages 10-14.

<sup>18</sup> Compliance Monitoring Manual, Compliance with the Core Requirements section 4. Jail Removal Requirement on pages 15-18.

<sup>19</sup> Compliance Monitoring Manual, Elements of an Effective System of Monitoring section pages 19-49.

<sup>20</sup> Racial and Ethnic Disparities Reduction Plan.

<sup>21</sup> Compliance Monitoring Manual, Compliance with the Core Requirements section 1. Deinstitutionalization of Status Offenders (DSO) Requirement, subsection on Valid Court Orders on page 4.

## Policies

**34 U.S.C. § 11133(a)(7)(B)(ix)(I)-(II):** The Wisconsin Department of Corrections (DOC) Division of Juvenile Corrections has policies that regulate the use of restraints on pregnant females within secure juvenile correctional facilities. DJC policy 500.30.09 on provision of services to pregnant youth patients indicates that “restraints shall be utilized by the least restrictive means necessary, ensuring safety of the mother and fetus.”<sup>22</sup> DJC Policy #500.70.10 Mechanical Restraints prohibits the use of abdominal restraints that directly restrict the area of pregnancy as well as other restraints and restrained positions for pregnant youth.<sup>23</sup> Finally, DJC policy 300.07.03 Escorting and Transporting Pregnant Youth aims to “ensure pregnant youth are escorted in the least restrictive method possible to provide for the safety of the pregnant youth and fetus/infant during adjudication and/or incarceration, transports, labor, delivery, and postpartum hospital stay.”<sup>24</sup> The policy requires that “a pregnant youth in active labor or during escort/transportation to a medical facility for the purpose of delivery shall not be restrained unless the Superintendent or designee determines the youth poses a substantial risk of escape, or serious safety threat to self, staff, fetus/infant, or others that cannot be reasonably managed with other methods.” These policies currently apply to all Type I secure juvenile correctional facilities that house girls.

**34 U.S.C. § 11133(a)(10):** WI DOJ has sufficient capacity to support the OJJDP Title II Formula Grant Program. The Bureau of Justice Programs (BJP), within WI DOJ, houses the Juvenile Justice Programs Supervisor/Compliance Monitor, Juvenile Justice Specialist, Juvenile Justice Coordinator/Racial and Ethnic Disparities Coordinator/Compliance Monitor, an LTE Compliance Monitor, and a Grants Specialist. This team works to ensure all core requirements of the JJDPA are met and monitored, provide staff assistance to the GJJC, and conduct all grant management activities. Staff

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<sup>22</sup> [DJC 500.30.09](#) Provision of Services to Pregnant Youth Patients.

<sup>23</sup> [DJC 500.70.10](#) Mechanical Restraints.

<sup>24</sup> Attachment F: DJC 300.07.03 Escorting and Transporting Pregnant Youth.

maintain and regularly acquire knowledge of state and federal laws. Staff perform research, training, and program evaluation on Title II subgrant programs. WI DOJ Juvenile Justice Unit staff partner with the WI DOJ Bureau of Justice Information and Analysis and other youth-serving state agencies including the Wisconsin Department of Children and Families (DCF), Wisconsin Department of Corrections (DOC), Wisconsin Department of Public Instruction (DPI), Wisconsin Office of Children's Mental Health (OCMH), and Wisconsin State Courts to collect pertinent data and conduct research on the juvenile justice system. WI DOJ has sufficient capacity to perform necessary research, training, and program evaluation activities within the state.

***34 U.S.C. § 11133(a)(16):***

United States "civil rights laws...prohibit discrimination on the basis of race, national origin, sex, sexual orientation, gender preference, and religion, among other protected categories."<sup>25</sup> "As a condition of the receipt of federal grant funding through the WI DOJ, subgrantees must comply with civil rights laws and regulations that prohibit discrimination."<sup>26</sup> WI DOJ implemented a procedure to respond to discrimination complaints involving recipients of federal funds. The procedure ensures that that subrecipients of Title II funding treat the youth they serve equitably and without discrimination on the basis of a protected characteristic. Similar civil rights protections and anti-discrimination policies are implemented by other juvenile justice agencies including the WI DCF,<sup>27</sup> the WI DOC,<sup>28</sup> and Wisconsin juvenile courts.<sup>29</sup> Court intake workers have a statutory duty to inform alleged delinquent youth regarding their basic rights.<sup>30</sup>

WI DCF has implemented the use of the YASI (Youth Assessment and Screening Instrument) statewide for juvenile court intake and court report processes. The YASI is validated to perform equally well

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<sup>25</sup> [U.S. Attorney's Office Eastern District of Wisconsin, "Civil Rights."](#)

<sup>26</sup> [Wisconsin Department of Justice Subgrantee Civil Rights Information.](#)

<sup>27</sup> [DCF Civil Rights Compliance.](#)

<sup>28</sup> [DOC Administrative Directive #13-01 Nondiscrimination and Reasonable Accommodation for Offenders on Community Supervision.](#)

<sup>29</sup> [Constitutional Protections Resource Manual.](#)

<sup>30</sup> [Wisconsin Statute 938.243](#) Basic Rights: duty of intake worker.

in differentiating youth as low, moderate, or high risk for likelihood of recidivism for youth of any race or ethnicity. By using this tool, Wisconsin aims to reduce racial and ethnic disparities and address biases in petitions and dispositional decisions for youth.

Youth Justice workers that perform Child Protective Services job functions (25 counties in Wisconsin) are required to take training that includes “Culturally Responsible Practice” and “Case Practice with American Indian Tribes.” WI DCF and WI DOC both provide additional training to CPS/YJ staff and supervision/correctional staff on topics such as implicit bias, culturally responsive practices, and trauma-informed care.

***34 U.S.C. § 11133(a)(17)***

Wisconsin’s juvenile justice system is county run and state supervised. The WI DCF’s “vision for Wisconsin’s Youth Justice (YJ) system incorporates a focus on prevention and diversion with the provision of accountability and services to youth and families to prepare them to thrive.”<sup>31</sup>

The Governor’s Juvenile Justice Commission’s vision is “a state in which all youth and families are safe, healthy, educated, supported equitably and provided opportunities to achieve their full potential.”<sup>32</sup> Furthermore, the GJJC directs Title II funding to programs that provide wraparound support to both kids and their families, and ensure that prevention efforts are available in neighborhoods to serve families and their children. Subrecipients use Title II funds to provide community-based programs and services to youth and families to prevent youth incarceration and help youth reintegrate after returning from out of home care.

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<sup>31</sup> [DCF Youth Justice Standards.](#)

<sup>32</sup> [GJJC Website.](#)

### **34 U.S.C. § 11133(a)(18)**

Wisconsin State Statute Chapter 938.78: *Confidentiality of records*<sup>33</sup> holds that “(a) No agency<sup>34</sup> may make available for inspection or disclose the contents of any record kept or information received about an individual who is or was in its care or legal custody,” with exceptions. Agencies that receive information under one of the exceptions are required to keep the information confidential.

Wisconsin State Statute Chapter 938.396(1)(a) *Records*<sup>35</sup> holds that “law enforcement agency records of juveniles shall be kept separate from records of adults. Law enforcement agency records of juveniles may not be open to inspection or their contents disclosed” with exceptions.

WI DOJ requires all juvenile justice subgrant recipients to protect the rights of recipients of services and assure appropriate privacy of records relating to services funded by the grant. This includes adhering to applicable state and federal law as well as internal policies and procedures.

Lastly, all juvenile specific records and information collected for compliance monitoring purposes are kept in a secure electronic folder. Access to this folder is restricted to staff with direct compliance monitoring job duties.

### **34 U.S.C. § 11133(a)(26)**

The WI DCF manages the Statewide Automated Child Welfare Information System (eWiSACWIS) which “is a comprehensive, automated case management tool that supports child welfare practice. It is intended to hold a state’s official case record, which includes a complete, current, accurate, and unified case management history on all children and families served by the state’s or tribe’s title IV-B and title IV-E entities.”<sup>36</sup> eWiSACWIS includes a section for youth justice case management information.

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<sup>33</sup> [State Statute Chapter 938.78](#) Confidentiality of Records.

<sup>34</sup> Meaning the department of children and families, the department of corrections, a county department, or a licensed child welfare agency.

<sup>35</sup> [State Statute Chapter 938.396](#) Records.

<sup>36</sup> [About eWiSACWIS](#).

The Youth Justice Court Report integrated into the system includes a section for Youth History. This section includes Youth Placement History, Child Protective Services (CPS) History, and a Social History Narrative.<sup>37</sup> According to WI DCF policy, “the CPS History section will prefill any Screened In CPS/Services Report(s) where the Youth’s Role is the Alleged Victim (AV) or Identified Child/Unborn Child (IC) and have been linked to a Case.”<sup>38</sup> Youth Justice staff use the Youth Justice Court Report page to create the Youth Justice Dispositional Court Report. Youth Justice staff share the report with court staff including the judge presiding over the juvenile court case, both prosecution and defense attorneys, and the youth and their family.

***34 U.S.C. § 11133(a)(30)***

The WI DCF is responsible for fiscal and programmatic oversight of Wisconsin’s county-based youth justice system. WI DCF has developed youth justice standards in accordance with statutory authority.<sup>39</sup> One of those standards requires the use of the Youth Assessment Screening Instrument (YASI), an evidence-based assessment measuring “youth’s level of risk, needs, responsivity factors, and strengths to guide early decision-making and assignment of case resources, as well as assist in the development of targeted case plans.”<sup>40</sup>

According to the standards “all youth referred for delinquency who have no competency or capacity concerns should be assessed with a YASI Pre-Screen prior to a petition being filed and all youth brought before juvenile court should be given the YASI Full Assessment prior to disposition.” “When a YJ professional has concerns regarding a youth’s competency (e.g. suspected cognitive disability, learning disability, young age) or capacity (e.g. suspected mental health crisis, intoxication, acute effects of a traumatic experience), the professional should not proceed with the YASI assessment process. They

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<sup>37</sup> [DCF Youth Justice Court Report](#).

<sup>38</sup> DCF Youth Justice Court Report Page 12.

<sup>39</sup> DCF Youth Justice Standards Authority: 48.526(10), Wis. Stats. Chapter 938 of Wisconsin Statutes.

<sup>40</sup> [DCF Youth Justice Standards](#) pg. 5.

should identify another time to complete the assessment when the youth either is deemed competent or well enough to participate in the interview.” The standards provide for mental health screening by indicating that “when information gathered for the full assessment or the [YASI] full assessment results indicate the possible need for another assessment (e.g., mental health, sex offender, substance use disorder), the youth should receive a specialized assessment administered by a qualified professional.”<sup>41</sup>

Judges and case workers can use the results of the complete YASI to tailor dispositional orders and youth case planning to youth responsivity factors. Workers can tailor interventions and services to youth’s learning style, social functioning, motivation, and cognitive abilities. Common responsivity factors include mental health, hobbies or career interests, long-term and/or opportunities for growth, important relationships, and cultural context. If a youth has a responsivity factor related to their mental health, the worker can incorporate that into their case planning.

Administrative Code DOC 346.23 governs health screening and care for youth held in secure facilities.<sup>42</sup> The code requires juvenile detention centers and other secure facilities to “provide necessary medical and mental health care...while the juvenile is in custody.” Facilities “review the current health of every juvenile admitted to the facility...upon admission...[using] a health screening form which has been developed in conjunction with health care professionals...[and is] designed to obtain health information, including the juveniles medical, mental, and dental condition, current medications, medical illnesses or disabilities, mental illnesses, developmental disabilities, substance abuse problems, and suicide risk.” The facility must maintain an operational plan that provides for “referral of juveniles to health care professionals or to agencies which provide health care or counseling...[and] processing, and disposition of requests for health care by juveniles.”

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<sup>41</sup> [DCF Youth Justice Standards.](#)

<sup>42</sup> [DOC 346.23 Health screening and care.](#)

**34 U.S.C. § 11133(a)(31)**

Chapter 938 (Juvenile Justice Code) of the Wisconsin Statutes designates the Office of Juvenile Offender Review (OJOR) as the release and decision-making authority for youth placed in a Type 1 secured juvenile correctional facility. Based upon input from the Joint Planning and Review Committee (JPRC), OJOR issues Department Orders regarding a youth's movement in and out of a Juvenile Correctional Institution (JCI). Planning begins immediately for youth's eventual discharge, transfer, or reentry. Facility intake social workers review case files, contact referral sources and family members, and complete an assessment. During their stay, youth participate in various educational and treatment programming that facilitate progress towards their individual Growth Plan.

OJOR reviewers determine the goals for the youth and engage in planning for the youth's return to the community. They recommend to OJOR when a youth may be ready to return to the community or require a court extension of supervision. The JPRC meets formally within 21 days following a juvenile's admission to a juvenile correctional facility and typically every three months thereafter.<sup>43</sup>

Once a youth reaches a certain stage in their system of care, the JPRC discusses proper placement following facility release. The social worker works closely with the youth, youth's family, community supervision worker, and the referral source to prepare the youth for their release. Goals and action steps are assigned for the youth to attain based upon future placement in the community. The field agent responsible for the youth works with the family and school districts to enroll students and help with continuity of treatment and education. The field agent completes a youth residence assessment or submits placement referrals, puts together an employment/education plan, and assists with other key transition

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<sup>43</sup> [WI DOC Office of Juvenile Offender Review](#).

tasks such as programming referrals, verifying medication needs, coordinating medical insurance, and securing vital documents.<sup>44</sup>

***34 U.S.C. § 11133(a)(32)***

Wisconsin State Statute, Wisconsin Administrative Code, and the local policies of individual school districts govern student and educational records, transfer, and credit earnings. State statute requires schools to transfer all pupil records relating to a specific pupil to another school including a juvenile correctional facility, a secure residential care center for children and youth (SRCCCY), and others, no later than the next working day after which the court provides the school with a written notice that the youth has been placed in a facility.<sup>45</sup> Once a juvenile is placed in a SRCCCY or secure juvenile detention center, youth are enrolled in the school district in which the facility is located, if different from their home school district. County human services staff, detention center staff, and the teachers assigned to the detention center collaborate to enroll the youth in the new school district—especially for youth placed in long-term post-dispositional programs. Lincoln Hills and Copper Lake Schools and Grow Academy are operated by the Wisconsin Department of Corrections and constitute their own school district. When youth transfer to these facilities, DOC staff and DOC teachers facilitate their enrollment in their new school district for the duration of their stay.

While in placement, educational staff provide youth with education and maintain records. Wisconsin Administrative Code governs educational records, educational program services, and educational operational plans within residential facilities.

“Educational program services that coordinate a resident's educational programming with the school from which the resident came upon admission and the school which will receive the

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<sup>44</sup> Attachment G: Description of DOC Division of Juvenile Corrections initial assessment, case planning, and reentry procedures for youth placed at Copper Lake and Lincoln Hills Schools (CLS/LHS).

<sup>45</sup> [State Statute Sec. 118.125\(4\)](#) Transfer of Records.

resident after center discharge and that cover all of the following: Center staff... shall ensure that a report of the resident's educational assessment and progress is given to the school or persons responsible for the individual's education following discharge from the center."<sup>46</sup>

"The operational plan [for juvenile detention centers] shall contain policies and procedures relating to educational programming for juveniles, including...(1) Superintendents shall ensure that juveniles have access to education, as provided by the school district in which the facility is located. (2) Superintendents shall notify the school district in which the facility is located when juveniles are present in the facility. (3) Superintendents shall cooperate with the school district...in the implementation of an educational program."<sup>47</sup>

When a youth transitions out of the detention facility, the school district into which they transfer determines the transfer of any credits partially or completely earned during their stay. Administrative code requires the Wisconsin Department of Corrections and local school districts that serve students in detention centers and juvenile correctional facilities to provide transitional supports, coordinate with districts, and provide a regular program of instruction.<sup>48</sup>

While the Statutes and Administrative Code cited cover the requirements to provide and record education within secure facilities and cover the transfer of records between the home school district and the district providing education within the facility, we are not aware of any Statute or Code providing for the transfer of credits and ensuring youth returning from secure confinement receive partial or full credit towards high school graduation or secondary school coursework. Credit transfer and credit requirements for high school graduation are set by each individual school district. WI DOJ contacted key agencies to assess the current credit transfer policies for youth entering and exiting secure confinement. Outreach thus

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<sup>46</sup> [Administrative Code Ch. DCF 52](#) Residential Care Centers for Children and Youth, Sec. DCF 52.41(1)(b).

<sup>47</sup> [DOC Administrative Code 346.37: Education](#).

<sup>48</sup> 20 U.S. Code § 6434, 6438, 6455 - Program requirements for correctional facilities receiving funds under this section.

far has included the Wisconsin Department of Public Instruction (DPI), Wisconsin Juvenile Court Intake Association (WJCIA), and others. WI DOJ staff plan to contact juvenile detention center superintendents and the school districts that provide education within them for more information about their local policies and procedures related to credit transfer and supporting youth to reenroll in their home school district. As WI DOJ assesses current credit transfer policies, we will partner with DPI to address any concerns that arise to ensure full compliance with this JJDP requirement.

***34 U.S.C. § 11133(a)(33)***

Procedures to screen for, identify, and document in state records, youth victims of domestic human trafficking are managed by the WI DCF and administered by each county. DCF requires that “all reports of known or suspected sex trafficking must be screened into the child protection system as a form of sexual abuse, regardless of relationship to the alleged offenders.”<sup>49</sup> Each county manages reports of child abuse and enters CPS intake, screening, and case records into Wisconsin’s statewide CPS database.

The Wisconsin Department of Public Instruction (DPI) provides resources and trainings to school staff about identifying youth at-risk of being trafficked, responsibility to report possible trafficking, and guides for educating youth on the issue of human and sex trafficking.<sup>50</sup> DCF and DPI partnered to provide a Child Sex Trafficking and Exploitation Indicator and Response Guide that is used by school staff and others to assess a youth’s trafficking risk level and decide when to report an incident to the local Child Protective Services agency or law enforcement.<sup>51</sup>

At the statewide level, the Wisconsin Department of Justice supports the Wisconsin Anti-Human Trafficking Task Force (WAHTTF). The WAHTTF is “a statewide multidisciplinary task force comprised of federal, state, and tribal law enforcement and victim service providers dedicated to supporting survivors of

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<sup>49</sup> [Wisconsin Anti-Human Trafficking](#).

<sup>50</sup> [Wisconsin DPI Anti-Human Trafficking Resources](#).

<sup>51</sup> [Wisconsin Child Sex Trafficking and Exploitation Indicator and Response Guide](#).

human trafficking and ensuring those who commit this crime face justice.”<sup>52</sup> In addition to the task force, WI DOJ maintains numerous resources related to preventing and intervening in human trafficking tailored to a variety of professional fields.<sup>53</sup> The standard curriculum for secure juvenile detention officers provided by the WI DOJ Training and Standards Bureau includes a section focused on identifying and responding to human trafficking concerns.

***34 U.S.C. § 11133(a)(27)***

The Wisconsin Department of Children and Families (DCF) is responsible for foster care placement under the Social Security Act. Wisconsin assures that juvenile offenders whose placement is funded under the foster care system receive the appropriate protections, including a case plan and case plan review through the Youth Assessment Screening Instrument (YASI) system.

***34 U.S.C. § 11133(a)(29)***

The Wisconsin Department of Corrections (DOC) Division of Juvenile Corrections operates the Lincoln Hill School for Boys and Copper Lake School for Girls, Type 1 juvenile correctional facilities, and The Grow Academy, a non-secure facility for boys. Administrative Code Chapter DOC 373 governs “Youth Conduct in Type 1 Secured Correctional Facilities”<sup>54</sup> while Administrative Code Chapter DOC 376 governs “Security in Type 1 Secured Correctional Facilities.”<sup>55</sup> These chapters of code contain the policies and procedures for reasonable restraints, isolation, and effective behavior management techniques used by staff of juvenile state correctional facilities.

DJC has updated their staff training on methods for using physical force on youth in the facilities from the previous Principles Of Subject Control (POSC) to the Mandt system. As described by DJC Administrator and GJJC Commissioner Ron Hermes, the Mandt system was specifically designed to be

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<sup>52</sup> [Wisconsin Anti-Human Trafficking Task Force.](#)

<sup>53</sup> [Wisconsin DOJ Anti-Human Trafficking Resources.](#)

<sup>54</sup> [Admin Code Cpt. DOC 373: Youth Conduct in Type 1 Secured Correctional Facilities.](#)

<sup>55</sup> [Admin Code Cpt. DOC 376: Security in Type 1 Secured Correctional Facilities.](#)

used with youth, whereas POSC was developed for use with adults. Additionally, the Mandt system is sensitive to the crisis cycle and thus more effective for youth with youth experiencing dysregulation.

DJC has implemented a system of care and Behavior Motivation System based on principles of Dialectical Behavior Therapy (DBT).<sup>56</sup> “DBT is the primary treatment program for all youth under the care of the DJC. DBT is an evidence-based cognitive behavioral therapy that helps youth who struggle to control their emotions and behaviors. DBT Skills Groups teach youth skills in areas that respond to the five major problems that are associated with adolescents who struggle with emotional dysregulation. The skill areas taught are Mindfulness, Distress Tolerance, Emotional Regulation, Interpersonal Effectiveness, and Walking the Middle Path.”<sup>57</sup> Staff within the facility observe youth behavior and provide feedback on compliant and noncompliant behaviors that are then reflected in incentives and privileges beyond the “basic rights and supports provided to all youth regardless of behavior.” The connection between positive prosocial behaviors and desirable incentives helps to motivate positive behavioral change. The comprehensive DBT treatment provides youth with the tools necessary to make these behavioral changes.

## **Grant and Financial Management**

**34 U.S.C. § 11133(a)(5):** Wisconsin affirms that the state will meet the passthrough fund requirement.<sup>58</sup>

**34 U.S.C. § 11133(a)(6):** All grant announcements distributing funds through Title II subgrants include priorities to fund programs that serve youth in rural areas. Applications applying to competitive grants that serve youth in rural areas receive bonus points on their application and are prioritized for funding.

**34 U.S.C. § 11133(a)(8):** WI DOJ staff regularly seek coordination and collaboration with other state agencies and local youth-serving agencies to maximize effective youth justice programs. Such collaboration includes monthly meetings with Wisconsin Department of Children and Families staff,

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<sup>56</sup> [Overview of Youth Programs & Services](#).

<sup>57</sup> [Overview of Youth Programs & Services](#) page 6 System of Care.

<sup>58</sup> The Budget Worksheet and Budget Narrative describes Wisconsin’s plan to distribute 66 2/3 percent of Title II funds according to the required formula through local government, local private agencies, and Indian Tribes.

including their grants staff, to coordinate delinquency prevention and intervention efforts; quarterly meetings with the Wisconsin Juvenile Court Intake Association to hear concerns and share resources on Title II Grants and best practices; and regular meetings with the Wisconsin Juvenile Justice Network, Wisconsin Teen Court Association, and Milwaukee Youth and Young Adult Engagement group. In addition to these larger groups, the Juvenile Justice Specialist and Juvenile Justice Programs Supervisor have conducted outreach and meetings with representatives of local youth serving agencies to discuss needs, best practices, and opportunities for collaboration.

***34 U.S.C. § 11133(a)(7)(B)(viii), 34 U.S.C. § 11133(a)(22)(A):*** All grant announcements distributing funds through Title II subgrants include a priority to fund programs that use evidence-based, promising, and trauma-informed programs and practices. Applications applying to competitive grants that incorporate an evidence-based, promising, and trauma-informed programs and practices into their program design, must describe the program or practice used. Applicants must provide the credible clearinghouse rating or relevant research showing the program or practice as evidence-based or promising based on rigorous, systematic, and objective scientifically based research. Applications that use evidence-based programs or practices and provide the clearinghouse source or relevant supporting research receive bonus points on their application and are prioritized for funding.

***34 U.S.C. § 11133(a)(22)(C)***

WI DOJ requires all subrecipients to submit quarterly program and fiscal reports documenting their progress towards their stated goals and objectives. If at any point the quarterly reports reveal barriers to the program being carried out effectively, the program manager will contact the local project director to discuss possible solutions or schedule training and technical assistance sessions to resolve the challenges. If after technical assistance is provided, the subrecipient is unable to surmount the challenges to implementation, such results will be documented in future program reports. Funds are expended through subgrants solely

through a reimbursement process. No fiscal reports are approved, or payments made to any subgrantee who does not demonstrate through proper documentation that eligible expenditures were made, and programmatic activities were conducted during their project period.

All potential subrecipients undergo a risk assessment process that includes an assessment of past program performance (if applicable). If the risk assessment indicates that an applicant is deemed high risk due to deficient past performance or other concerns, WI DOJ policy implements a heightened monitoring protocol including more frequent reports, on-site visits to monitor grant activity, and a desk review. The Wisconsin Attorney General's Office reviews and approves all subrecipient awards. Failure to demonstrate success completion program goals completion may result in further review of future awards by the Juvenile Justice Programs Unit, Bureau of Justice Programs, and Attorney General's Office staff.

**34 U.S.C. § 11133(a)(19):** Wisconsin affirms that any assistance provided under this Act will not cause the displacement of any currently employed employee. Under 2011 WI. Act 10, all state collective bargaining rights were eliminated (except for fire fighters and law enforcement officers). As such, activities conducted under this act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement as no such agreement exists.

**34 U.S.C. § 11133(a)(20):** Evidence regarding Wisconsin's adherence to this requirement are included in the "Financial Management and Internal Controls Questionnaire" submitted in JustGrants.

**34 U.S.C. § 11133(a)(21):** Wisconsin does not use any federal funds to supplant State, local, tribal, and other non-federal funds that would otherwise be used for programs described in this plan. Instead, the funding from the Title II grant program is used to supplement non-federal funding to support these programs. All grant announcements include a notice that "all expenses must be new and cannot replace existing state or local government funding. Substitution of existing funds with federal grants (supplanting) will be the subject of monitoring and audit. Violations may result in a range of penalties, including

suspension of current and future funds under this program, suspension or debarment from federal grants, repayment of monies provided under a grant, and civil and/or criminal penalties.” All subgrant awards contain a standard condition requiring award funds to be used to supplement, not supplant, planned or allocated funds. Fiscal and programmatic grants staff rigorously review applicant and subrecipient budgets to ensure this requirement is met.

**34 U.S.C. § 11133(a)(24):** Wisconsin affirms that if the state receives an amount that exceeds 105 percent of the amount received under this section in FY 2000, all such excess would be expended through or for programs as part of a comprehensive and coordinated community system of services.

**34 U.S.C. § 11133(a)(28):** The WI DCF is a significant partner in our work on juvenile delinquency prevention and intervention programs. The WI DCF administers Youth Justice Innovation Grants (state funding) to counties to support innovative programs in specific need areas. The grants address needs that complement the Title II funding priorities covering similar goals (reducing racial and ethnic disparities) as well as advancing practices specific to their county-focused recipients (improving school-justice partnership and matching services to needs).<sup>59</sup> WI DOJ meets with WI DCF on regular basis to coordinate on a variety of shared interest topics including grants coordination.

### **Not Applicable**

**34 U.S.C. § 11133(a)(3)(E)(i):** The GJJC (Wisconsin’s SAG) does not advise on state and local supervisory or criminal justice advisory board compositions. This is not applicable as Wisconsin’s Criminal Justice Coordinating Council membership is determined by its originating Executive Order and Governor appointment process.<sup>60</sup>

**34 U.S.C. § 11133(a)(25):** No funds are being set aside for the purpose of incentive grants to units of general local government that reduce the caseload of probation officers within such units.

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<sup>59</sup> WI DCF Youth Justice Innovation Grants 2022-2023: <https://dcf.wisconsin.gov/files/publications/pdf/5514.pdf>.

<sup>60</sup> [Executive Order #41](#) Relating to the Re-Creation of the Criminal Justice Coordinating Council.