



GOVERNOR'S JUVENILE JUSTICE COMMISSION

TONY EVERS, GOVERNOR
JENNIFER GINSBURG, CHAIR

To: Members of the Joint Committee on Finance
From: Governor's Juvenile Justice Commission
Re: Governor's 2021 – 2023 Biennial Budget (Assembly Bill 68/Senate Bill 111)
Date: April 28, 2021

The Governor's Juvenile Justice Commission (GJJC) supports the provisions of the Governor's 2021 – 2023 State Budget proposal that address juvenile justice reform. The juvenile justice proposals in the budget include important substantive changes that are good for Wisconsin children and are long overdue. The proposals have an important fiscal impact that are appropriately addressed in the budget process.

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

As significant stakeholders, the GJJC proposes adoption of the juvenile justice reform measures included in the Governor's budget. The three-year plan recently adopted by the GJJC on February 9, 2021 includes a recommendation for comprehensive revision of the current juvenile justice code to address changes in juvenile constitutional law, scientific developments in juvenile brain science, and changing best practices for children involved in the justice system. Many important and needed reforms are contained in the Governor's budget. The GJJC recommends the enactment of steps that will provide the most effective programs for youth and that will modernize our statutes, with emphasis on the following:

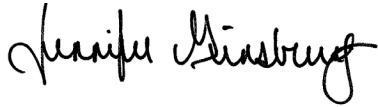
1. Raise the age of juvenile court jurisdiction to all persons under the age of 18. The GJJC has officially supported raising the age of jurisdiction for many years. Wisconsin is one of only three remaining states to automatically treat children under 18 as adults for purpose of criminal prosecution. Funding is necessary to support counties during the transition of cases and services to juvenile court for 17-year-olds.
2. Raise the minimum age of delinquency from 10 to 12 years of age so that age-appropriate programs and services can be delivered to the youngest children in the juvenile justice system.
3. Eliminate *automatic* original adult court jurisdiction for certain offenses. Statutes should be amended to allow for transfer of jurisdiction to adult court only after petition, hearing and a judicial determination.
4. Provide funding to implement 2017 Act 185 to complete the closure of Lincoln Hills/Copper Lake Schools and to fund the establishment of Secure Residential Care Centers for Children and Youth (SRCCCYs).
5. Eliminate the use of secure detention for all status offenders. Children involved in conduct that would not be criminal for adults should not be detained or sanctioned in secure detention facilities. The decriminalization of status offenders is a core principle of the JJDPA.
6. Reform sentencing laws for children sentenced as adults to eliminate mandatory life without parole and other mandatory penalties that apply to adult offenders.
7. Invest in community-based youth justice services and supports to reduce the need for secure confinement and align with effective youth justice practice.

While other reforms are needed and worthy of attention in order to provide all youth with the tools to be successful, these highlighted portions of the Governor's budget proposal align our state with national trends and practices and are investments to support Wisconsin's youth.

The GJJC would like to thank the Legislature for the opportunity to provide input and recommendations on 2021-23 State Budget. We welcome future opportunities to partner with the Governor, Legislature and other state agencies to guide the large-scale and critical changes necessary for Wisconsin's Juvenile Justice Code to serve youth, families and communities in an equitable, racially-just and evidence-informed manner.

Thank you for your time and consideration to include these recommendations into the 2021 – 2023 State Budget.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Ginsburg". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Ginsburg".

Jennifer Ginsburg
Governor's Juvenile Justice Commission, Chair

cc: Governor's Juvenile Justice Commission