



DEPARTMENT OF HEALTH & HUMAN SERVICES

*Milwaukee County*

COREY HOZE • Director

**Date:** August 5, 2008

**To:** Special Committee on High-Risk Juvenile Offenders  
Senator Tim Carpenter, Chair  
Committee Members

**From:** Eric Meaux, Milwaukee County Director of Delinquency and Court Services

**Re:** Testimony on August 6, 2008

As the Director of Juvenile Services in Milwaukee County, the issue of "high-risk" juvenile offenders is of paramount concern. The Delinquency and Court Services Division's mission is to promote community safety by efficiently providing youth accountability and developmentally appropriate intervention services. To this end we aim to reduce the probability of subsequent recidivism and improve both family and youth functioning. The activities we engage in, while in description seem simple, are complex, entailing assessment and alignment of services to address the individual risks and needs of each youth. This is followed by continuous re-evaluation and coordination with a variety of service providers. Our response to this challenging population is truly one of patience and understanding balanced with a continual assessment of our community-based programming capacities to ensure appropriate accountability and minimize risk. Therefore, it is difficult to share with you one specific program because in the end the system is a collection of programs designed to respond to the ever-changing needs of our youth. As well it should. Since unlike adults, these youth are in the midst of their own changing development.

The "high-risk" offender is of critical concern for a variety reasons. Despite the obvious of challenging our sense of safety, these youth can quickly drain the limited resources of our system if cost-effective and results driven alternatives are not considered.

I was asked to speak here today to provide some insight into the community-based programs that comprise much of our delivery of services. In so doing, I think that you will find that defining the high-risk juvenile offender is a challenge in itself. Too often our system, bound by legal constructs, attempts to target these offenders, without great success in hitting a bulls-eye. In addition, we are continually challenged by the misconceptions of this population by overgeneralizations perpetuated by the media that in the worst of cases plays itself out in the form of bad public policy. What we do hope for is an opportunity to serve youth, as close to their preferred environment as possible, and create dynamic systems that offer control, flexibility, and creativity. Through this process, a significant number of youth are served successfully without the use of correctional settings. This includes youth that may typically be defined as high-risk.

To better understand this, I would like to provide you with a brief overview of our population and system.

In 2007, our Division handled approximately 3,800 referrals for acts of alleged delinquency, or 10 referrals per day. This excludes another 784 incidents of youth returned on a warrant. Of these referrals, 76% (N=2,884) were unique youth. On average, 52% of the youth are transported directly to our secure detention facility in police custody and released to intake staff for custodial decision-making. The County has the statutory duty and fiscal responsibility to provide secure detention services, intake and assessment services, probation supervision, and a variety of community-based interventions including placement of youth in alternative care all of whom are the subjects of Milwaukee County delinquency proceedings.

Over the last 15 years, Milwaukee County has collaborated and developed a number of promising and cost-effective programs consistent with Congressional findings contained within the Juvenile Justice and Delinquency Prevention Act and that of State incentive funding such as Youth Aids. Using a variety of State, grant and local funds, cost-effective community-based programs, ranging from court diversion to correctional alternatives, have been developed and sustained that serve and manage this challenging population. The Firearm Supervision project was recently highlighted in previous Congressional testimony relative to the Juvenile Justice and Delinquency Prevention Act reauthorization bill. Wraparound Milwaukee, our mental health and juvenile justice collaboration, has been cited as a nationally recognized exemplary program, serving youth with serious and complex mental health, emotional, and behavioral issues.

In detailing the Division's numerous programs, I need to stress that many of these programs need to be recognized as collaborations and partnerships, not just contractual services funded by the County. To that extent, the Division prefers to defer often to their local expertise as it comes to delivering their services. While I would like to report to you that system and institutional controls, i.e. "turf battles" do not exist I would be bending the truth. However, I can confidently report that our Division has embraced the idea surrendering some control and decision-making in favor of leveraging the expertise and flexibility of our community-based partners. While some services are traditional, such as shelter and foster care services, others are not. Please see attachment A.

So what do all these programs have to do with high-risk offenders? A quick overview of original jurisdiction, use of waiver, and use of corrections helps to explain the story. In 2007, Milwaukee County experienced 15 cases in which original adult jurisdiction occurred. In only 2 of the cases were the youth charged in the adult system. The remaining cases were either not charged or handled in the juvenile system due to charging decisions. In 2007, there were 4 youth waived from the juvenile system to adult court. Clearly, the vast majority of juveniles are handled in the juvenile system. In 2007, Milwaukee County committed 257 youth to the Division of Juvenile Corrections. We reviewed our 2007 referrals\* and aggregated our serious offenders into 3 categories:

- Violent Offenses (Recklessly Endangering Safety, Substantial Battery, Armed Robbery and Robbery)  
Violent Offenses accounted for 439 referrals, comparatively there were 77 youth committed to corrections for such offenses
- Sexual Assaults (First Degree through Second Degree including Sexual Assault of a Child)  
Sexual Assaults accounted for 208 referrals, comparatively there were 14 youth committed to corrections for such offenses.
- Weapons only (Possession of a Dangerous Weapon – various)  
Weapons accounted for 77 referrals, comparatively there were 26 youth committed to corrections for such offenses.

*\*Referrals do not necessarily accurately reflect a final charge as charging decisions may result in no prosecution or a lesser offense.*

The difference between the offense and the system, or program, response reflects the efforts of the various programs and the fact that statutorily defined offenses on their own do not define a high-risk offender. Many of these youth are given the opportunity to participate in some of our more intense and specialized programs previously identified in attachment A.

Firearm Project

Since the program began in 1999, 358 youth had been discharged from the program through December 2007. Of these youth, 71% of the youth had completed the program successfully. Success in this case is defined as not having a discharge due to re-offense, correctional placement, going AWOL, or other such as enrollment in alternate programming. Further, when reviewing specifically our 2007 discharges, of those youth not discharged favorably, 13 of 25 were discharged and likely considered for corrections due to lack of accountability or the inability to address certain risk factors as opposed to a new offense. This supports the concept that community-based programs can successfully work with the serious juvenile offender population with the proper blend of services, support, and ability to effectively manage crisis.

Wraparound Milwaukee

In 2007, the Wraparound program enrolled 363 youth that in years past may have been placed in a residential care facility or corrections. Youth with a sexual assault offense accounted for 22% of these enrollments. Milwaukee County has seen a significant decrease in the use of corrections over the years through its use of managed care to serve high-risk offenders within their homes and the community including sex offenders. Follow-up data for youth served reported at 3- and 5-year intervals revealed an 8% and 12% recidivism rate for sexual offenses, respectively, and a 27% rate for nonsexual recidivism. This subpopulation receives very specialized plan of care development including safety planning and enhanced community-based options developed to work with this subpopulation.

Focus

Since the program began in 2003, 224 youth had been enrolled in this program through December 2007. Follow-up data for youth discharged successfully from this program was reviewed at 1- and 2- year intervals. Recidivism was defined as a new offense in either the juvenile or adult system regardless of the final disposition, i.e. probation or correctional placement. Focus youth had a 17% and 26% recidivism rate respectively.

As you can see, I would assert that high-risk juvenile offenders are often served in a wide-variety of settings with the proper blend of services and controls in place.

It seems that I can never have a discussion of this nature without explaining in brief what it takes for a system such as this to operate. Milwaukee County presently allocates approximately \$20 million toward purchased community-based services, excluding the costs associated with an additional 60 intake and probation supervision staff. For purposes of comparison, Milwaukee County will likely expend approximately \$25 million in 2008 for correctional care costs alone far exceeding our total of \$20 million for all the contracted services previously mentioned for far fewer youth. In fact, the Wraparound program alone serves approximately the same number of youth at any point in time as does corrections. Please understand that I do not mean to suggest that there

is not a place or need for secure facilities within the juvenile system. Unfortunately, despite our best efforts, there will likely always exist a number of youth for which secure facilities are necessary. I would suggest that in many of those cases, our creativity and or patience has been exhausted. As this committee considers the information presented, I would hope today that you understand the very sensitive financial constraints counties operate under. The most modest fluctuations in correctional placements can have a very significant impact on the entire system.

I understand Committee members took a tour of the Ethan Allen correctional facility this morning. The State presently charges counties a rate of \$268 per day. If we have to send just 10 more kids to one of the State facilities than we originally estimated during our budget process, it would cost Milwaukee County just under \$1 million.

I saw that the Committee has in front of it a memo prepared by Attorney Sappenfield relating to age of jurisdiction and the memo regarding adolescent brain development. Since to my knowledge this committee has not excluded youth age 17 or older from their scope of information gathering, it is in my opinion reasonable to think that consideration may be given to returning all or some of these youth to the juvenile justice system in response to recent research findings. I understand the importance of developmentally appropriate services for our youth regardless of their legal status. However, in my responsibilities I must also consider the effect that significant changes would have on all of the youth we currently serve and balance that against any proposed change. While I cannot reverse legislation of the past, I do have an obligation to protect the advances we have made over the past 15 years relative to the youth we presently serve. Therefore, I believe it is imperative that this committee understand the overall impacts as it proceeds with due diligence to find a solution. In response to past legislation regarding this issue, I was asked to prepare a fiscal impact estimate of such legislation. Our Division conservatively estimated that such a change would cost Milwaukee County about \$24 million a year. Our cost analysis has also been shared in public testimony with the Joint Audit Committee. This conservative estimate is based on maintaining at least our current levels of programming and services. We have further been contacted by the Wisconsin County Human Services Association regarding a statewide estimate. Based upon the proposed costing methodology, we believe our estimate will increase from that initially shared. Please note that these initial projections do not address potential cost impacts to the other juvenile court operations such as Court operations and the District Attorney's Office. The non-partisan Legislative Audit Bureau has estimated that statewide this change could cost Wisconsin counties between \$53.5 million and \$82.4 million.

Legislative changes that do not fully recognize and address fiscal impacts have the very real potential of unraveling years of capacity building and system improvement.

**BASIC SHEET ON PROGRAMS**  
**Delinquency and Court Services Division**  
**Milwaukee County Department of Health & Human Services**

County managed community-based programming. These are programs that serve youth as a diversion from entry into the juvenile justice system, as an alternative to detention while court is pending, or as a community-based service following disposition in addition to court-ordered supervision. County Probation and Secure Detention services are excluded.

<b>Community-Based Program</b>	<b>Description</b>
In-Home Monitoring Program	An intensive in-home program for alleged delinquent youth who have not committed a serious offense but are at risk for placement in detention or shelter care without additional supervision and support services. Youth are pending future court appearances. The services are aimed at reducing recidivism and ensuring court appearances.
Shelter Care	State licensed facilities providing short-term, supervised residential programming for youth who may not be returned home pursuant to a court order. Youth are delinquent, pre-delinquent and or juveniles in need of protection or services.
Sex Offender Treatment Program	The Adolescent Sex Offender Treatment Program serves the needs of delinquent youth whose treatment needs can be met in a structured, community-based setting. The program provides various treatment modalities and service options including group, individual, and family counseling by licensed staff.
Day Treatment Program	A non-residential, education program for delinquent youth. This is a partnership between Milwaukee County, community-based agencies, and the Milwaukee Public Schools. Program includes educational services, licensed counseling and support services. Includes educational services for expelled youth.
Probation Services Network	A County operated network of community-based agencies certified to provide a variety of clinical and support services, including gender specific program options. Services are provided on a fee-for-service basis to delinquent youth currently on court ordered supervision. This includes services provided to youth serving detention sanctions.
Serious Chronic Offender Program	This program provides intensive supervision, structured programming and expectations, and support in community-based settings. Youth are typically in the parental home. Many of the delinquent youth present a pattern of re-offense escalating to high-risk behavior. Youth are often found to be appropriate for a correctional placement however they been are allowed to remain in the community contingent upon compliance with supervision and programming. In 2008 a pilot was implemented allowing youth siblings to be served if they are determined in need of prevention programming on a voluntary basis and youth completing the program are allowed access to short-term services to avoid setbacks.

Attachment A

Community-Based Program	Description
Firearm Supervision Program	This program provides intensive supervision, structured programming and expectations, and support in community-based settings. Youth are typically in the parental home. This program targets youth found delinquent of possession of a firearm. The program specifically targets high-risk behavior with programming tailored to the youth's immediate environment. The program also provides funding for vertical prosecution by the District Attorney's Office to ensure timely and consistent processing of firearm cases. In 2008 a pilot was implemented allowing youth siblings to be served if they are determined in need of prevention programming on a voluntary basis and youth completing the program are allowed access to short-term services to avoid setbacks.
Group Home and Foster Care	State licensed homes providing community-based alternative living arrangements for delinquent youth who cannot return home in the immediate future pursuant to a court order. Many of the delinquent youth are experiencing problems within their families, schools, and or in the community.
Wraparound Milwaukee Program	Wraparound Milwaukee serves families and their delinquent youth presenting serious emotional or mental health needs as identified by the juvenile justice system. Youth are at immediate risk of placement in a residential facility, juvenile correctional facility or psychiatric hospital. The program was designed to reduce the use of institutional-based care such as residential care centers and inpatient psychiatric hospitals while providing more services in the community and in the child's home.
Focus Program	A multi-phase program utilizing collaborative efforts of a state licensed residential Type II facility, county probation supervision, and mental health services provided by Wraparound Milwaukee for youth who cannot be returned home in the immediate future pursuant to a court order. Participating delinquent youth have been found to be appropriate for a state correctional placement however they have been allowed to remain in the community contingent upon compliance with supervision and community programming.
First Time Juvenile Offender Program	A diversion program targeting youth referred to the juvenile justice system for a first offense. A structured program that utilizes the tracking and service monitoring services of community-based agencies in conjunction with clinical and support services matched to meet the needs of youth being served.
Prevention Services (This is pass through funding that does not directly serve youth referred to the Juvenile Justice System)	The Delinquency Division funds prevention services for two community-based programs. Safe Alternatives for Youth supports positive community alternatives for youth and Milwaukee Sports Authority supports community-wide infrastructure for youth sports.