

1       **AN ACT relating to:** community-based juvenile correctional institutions pilot  
 2           program.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This bill draft was prepared for the Joint Legislative Council’s Special Committee on High-Risk Juvenile Offenders.

Under current law, a juvenile who is adjudicated delinquent may be placed in a juvenile correctional facility operated by the Department of Corrections (DOC) if the juvenile has been found to be: (1) delinquent for the commission of an act that would be punishable by a sentence of 6 months or more if committed by an adult; and (2) a danger to the public and to be in need of restrictive custodial treatment. Currently, there are 2 juvenile correctional facilities for boys and one for girls.

The draft requires DOC to create an advisory committee to research residential programs offered to juveniles adjudicated delinquents by the State of Missouri’s Division of Youth Services, Department of Social Services. The advisory committee must recommend a pilot treatment program substantially similar to the services offered in Missouri’s secured and moderately secure residential facilities. The committee is required to identify sites, at least one in Milwaukee county and at least one in another urban county that may be purchased, converted into community-based juvenile correctional facilities. The committee must then recommend that DOC purchase these sites.

The advisory committee also must identify funding from non-state sources to establish and implement the new facilities and pilot treatment program and recommend that DOC utilize these sources. It must make recommendations relating to school aid funding to pay for educational services provided in the facilities. The committee must recommend the budget for the facilities and pilot treatment program, including operating costs, the cost to purchase and convert each facility site into a community-based juvenile correctional facility, and the daily rate for the facilities. The recommended daily rate of these facilities may not be higher than the current daily rate for juvenile correctional facilities under the draft.

The advisory committee must recommend that an evaluation be conducted of the community-based juvenile correctional facilities and pilot treatment program, as well as who should complete the evaluation, when it is to be completed and what outcomes must be evaluated.

By June 1, 2010, the advisory committee must submit a proposal to the joint committee on finance that sets forth all of its recommendations and recommends legislation to create 2 or 3 community-based juvenile correctional facilities and a pilot treatment program.

**COMMENT:** This preliminary draft requires the department of corrections to establish an advisory committee to propose 2 to 3 small, community-based juvenile correctional institutions that provide a setting and treatment similar to those offered in Missouri's secured and moderately secure facilities. Please review the draft to determine whether it creates a process that will lead to the adoption of aspects of the "Missouri model" in Wisconsin. Please especially consider the membership of the advisory committee, the location of the facilities and how the location is determined, the services that must be offered in the facilities, the daily rate for such facilities, and the timeline for recommending the establishment of the facilities.

1           **SECTION 1. Nonstatutory provisions; community-based juvenile correctional**  
2           **facilities.**

3           (a) *Advisory Committee.* The secretary of corrections shall appoint an advisory  
4           committee under section 15.04 (1) (c) of the statutes to prepare a proposal for the  
5           establishment of 2 or 3 community-based juvenile correctional facilities and a pilot program  
6           for the care and treatment of juveniles who have been adjudicated delinquent and placed in  
7           a juvenile correctional facility. The advisory committee appointed under this paragraph shall  
8           include the following members:

9           1. One representative of the division of juvenile corrections in the department of  
10          corrections.

11          2. One representative of the department of children and families.

12          3. One representative from each county where a facility shall be located.

1           4. One representative of a culturally sensitive, community-based human services or  
2 social services agency that is located in Milwaukee county and one representative of a  
3 culturally sensitive, community-based human services or social services agency that is  
4 located in a county other than Milwaukee county. In this subdivision, “culturally sensitive”  
5 means aware of and understanding of the cultural characteristics of the populations served by  
6 the human services or social services agency.

**NOTE:** Creates an advisory committee to prepare a proposal for 2 or 3  
community-based juvenile correctional facilities. The members are  
appointed by the secretary of corrections. The members include  
representatives from the division of juvenile corrections, the department  
of children and families, county representatives where the facilities are  
located and non-governmental community organizations.

7           (b) *Advisory committee responsibilities.* 1. ‘Program research and design’. The  
8 advisory committee shall study the residential programs offered to juveniles who have been  
9 adjudicated delinquent provided by the State of Missouri’s division of youth services,  
10 department of social services, and recommend a pilot treatment program substantially similar  
11 to the treatment programs and services offered by the division in its secured and moderately  
12 secure residential facilities, including educational services, medical services,  
13 community-based services, alcohol and other drug abuse treatment, independent living skills  
14 training, and aftercare services. The pilot treatment program that the advisory committee  
15 recommends shall involve family members in programming for juveniles, shall be  
16 implemented in community-based juvenile correctional facilities designed to collaborate  
17 with community organizations and service providers located within the county where the  
18 facility is located, and shall be provided in a home-like setting. The advisory committee shall  
19 recommend that the department establish 2 or 3 community-based juvenile correctional  
20 facilities.

**NOTE:** Requires the advisory committee to study the State of Missouri's Division of Youth Services, Department of Social Services treatment programs. The committee must recommend a pilot treatment program substantially similar to the Division of Youth Services treatment programs. The pilot treatment program and services must include educational services, medical services, community-based services, alcohol and other drug abuse treatment, independent living skills and aftercare services. The program must collaborate with community organizations and service providers, and families must be involved in the programming. These services must be provided in a home-like setting.

- 1           2. 'Facility site'. The advisory committee shall identify and recommend existing  
2 facilities that the department of corrections could purchase and convert into  
3 community-based juvenile correctional facilities. Each facility shall have the capacity to  
4 house 40 beds, divided into units of 10 to 12-bed units. Each facility shall be equipped to  
5 provide educational services and medical care and services for juveniles placed in the facility.  
6 At least one facility shall be located in Milwaukee county and at least one facility shall be  
7 located in another urban county. The committee shall recommend that the department of  
8 corrections purchase 2 to 3 facilities.

**NOTE:** Requires the advisory committee to identify and recommend existing facilities for DOC to convert into community-based juvenile correctional facilities. The facilities must have the capacity to house 40 beds divided into units of 10-12 beds. Each facility must be equipped to provide educational and medical services. At least one facility must be located in Milwaukee county and at least one in another urban county. The committee must also recommend that DOC purchase 2 or 3 facilities.

- 9           3. 'Funding'. The advisory committee shall identify non-state sources of funding and  
10 recommend that the department of corrections seek such funding to provide assistance for the  
11 creation and operation of the community-based juvenile correctional facilities and pilot  
12 treatment programs. The advisory committee shall also make recommendations for the use  
13 of school aid funding to pay for the educational costs of juveniles placed in a

1 community-based juvenile correctional facility and utilize available school aid to operate the  
2 facilities and program.

**NOTE:** Requires the advisory committee to identify and recommend that DOC utilize non-state funding sources for the creation and operation of the community-based juvenile correctional facilities. This SECTION also requires the committee to recommend how school aid funding can be used to pay for educational costs and then utilize those funds.

3 4. 'Budget and operating costs'. The advisory committee shall recommend the budget  
4 and operating costs of the community-based correctional facilities and pilot treatment  
5 program, including the cost to purchase and convert each facility site into a community-based  
6 juvenile correctional facility and the cost of education services, medical care and services,  
7 community-based services, alcohol and other drug abuse treatment, independent living skills  
8 training, and aftercare services.

**NOTE:** Requires the advisory committee to recommend the community-based juvenile correctional facilities' budget and operating costs as well as the cost to purchase and convert each facility. The proposal specifies the cost of education, medical care and services, community-based services, alcohol and other drug abuse treatment, independent living skills training, and aftercare services.

9 5. 'Daily rate'. The advisory committee shall recommend what costs shall be included  
10 in the daily rate to be assessed for placement in a community-based residential facility and  
11 recommend a daily rate that is no greater than the current daily rate for existing juvenile  
12 correctional facilities.

**NOTE:** Requires the advisory committee to recommend what costs shall be included in the daily rate. It also requires the daily rate for a community-based juvenile correctional facility to be no greater than the current daily rate for juvenile correctional facilities.

13 6. 'Evaluation'. The advisory committee shall recommend that an evaluation of the  
14 community-based juvenile correctional facilities and pilot treatment program be conducted.

1 The advisory committee shall specify who is to complete the evaluation, when it is to be  
2 completed, and the outcomes that must be evaluated.

**NOTE:** Requires the advisory committee to recommend that an evaluation of the community-based juvenile correctional facility and pilot program be conducted, when the evaluation will be completed, and the outcomes that must be evaluated.

3 (c) *Department of corrections report to joint committee on finance.* By June 1, 2010,  
4 the department of corrections shall submit to the joint committee on finance a proposal for the  
5 establishment of 2 or 3 community-based juvenile correctional facilities and a pilot treatment  
6 program in Milwaukee county and at least one other urban county, for the care and treatment  
7 of juveniles who have been adjudicated delinquent and placed in an juvenile correctional  
8 institution. The proposal shall describe and include all of the recommendations made by the  
9 advisory committee and shall make recommendations for legislation needed to establish the  
10 facilities and implement the treatment program.

**NOTE:** Requires the advisory committee to create and present a proposal to the Joint Committee on Finance on June 1, 2010. At least one proposed community-based juvenile correctional facility is to be located in Milwaukee county. A 2nd community-based juvenile correctional facility is to be located in another urban county. The proposal shall include all of the recommendations made by the committee.

11

(END)