

**Governor's Juvenile Corrections Review Committee
Minutes of the May 21, 2010 Meeting at the
Department of Corrections, Secretary's Conference Room
3099 E. Washington Ave, Madison, WI
Open Meeting**

Attendance:

The following Committee members were present: Co-chairs Jim Moeser and Greg Lewis, Hon. Judge Wendell Askenette, John Burmaster, Mark Mertens, Hon. Judge Neal Nielsen, John Solberg (by phone), Hon. Judge Mary Triggiano and Lori Vance. Division of Juvenile Corrections staff present: Margaret Carpenter, Administrator, Silvia Jackson, Assistant Administrator, Jocelyn Schoeneck, David Bajkiewicz, Shelley Hagan and Elaine Olson. Others in attendance at the meeting: Sarah Diedrick-Kasdorf, Mark Wadium, Susan McMurray, Julie Peters, Larry Winter, Pete Slesar, Paula Decker, Andy Lyons, Anthony Lindsey and Anna Oehler.

I. Review and Approval of Minutes

Co-chair Jim Moeser called the meeting to order at 10:05AM. Committee member Burmaster moved approval of the minutes of the May 7, 2010 meeting and co-chair Greg Lewis seconded the motion. The minutes were unanimously approved as presented.

Co-chair Moeser reviewed the agenda items for the day. He indicated that a letter was being drafted to Secretary Raemisch regarding extension of the Committee's work into June. The Committee is set to meet on June 2, 2010. Another shorter meeting may be needed, but the last full meeting will be on June 2nd.

II. Institution Assessments and Discussion

Kathy Malone, Juvenile Justice Strategies, LLC & former Delinquency and Court Services Administrator for Milwaukee County and Jerry Huber, Director, of the La Crosse County Human Services Department addressed the group on their assessments of the juvenile institutions during the fall of 2009. Ms. Malone distributed a handout and referred the Committee to two web sites that contain juvenile justice policy and research information. One site has an article published by the Justice Policy Institute about cost of confinement. It mentions Wisconsin's Youth Aids funding. Another site discusses a research project jointly funded by the John D. and Catherine T. MacArthur, Robert W. Wood and William T. Grant foundations. The research is in progress and involves 1354 offenders from multiple sites. Ms. Malone said that preliminary findings contain information about how long a youth should be in treatment in an institution to get better outcomes.

Ms. Malone said she visited each institution twice and spent about six hours each time talking with staff, visiting programs and making observations. Co-chair Moeser asked about a point on the summary sheet of her report that treatment takes longer than the period of confinement. She clarified she was referring to girls with mental health problems at Southern Oaks. She felt that some girls could not be served on short-term commitment orders given their problems. Ms. Malone was impressed by how fast kids got into programming, but sometimes they could not finish during the time on the court order.

Jerry Huber said it was a very intensive experience to visit the institutions. He covered points as follows:

- The institutions are a critical part of the continuum of juvenile justice services at this time.

- There is a lack of EBP (Evidence-based Practice) treatment models at the community level.
- Counties vary greatly in what services they have for youth. His community lacks a cognitive program like what he saw at the institutions, gender specific services for girls, and sex offender treatment programs.
- Better bridges need to be built for youth to move back to the community.
- Training for county staff is needed to prepare them to deal with youth who are returning to the community from the institutions.
- Regional step-down programs or regional service models like Missouri's would be beneficial.
- Fiscal realities are a concern. He noted that he has been in WI for 12 years and finds it interesting that "youth get better when budgets get bad". He said this is a reality and not good practice.
- A blended funding model could be used at the institutions and that Medicaid, school aids, and state funds for capital and staffing should be used.
- Families need to be engaged, and youth need to be viewed as part of a larger system that includes both the Child Welfare and Juvenile Justice systems. There is a disconnection now between these areas.
- Counties need to see themselves as a "purchaser" of services from the state and they should focus on what they want from the state.

Co-chair Moeser asked Mr. Huber and Ms. Malone if they had a sense of safety at the institutions and if they noted any differences. Mr. Huber said that Lincoln Hills School (LHS) felt like a school. He noted a different culture between LHS and Ethan Allen School (EAS) with the latter being an urban setting and LHS being in a rural area. Ms. Malone said that each facility has its own personality and that she never felt unsafe. She felt everyone was treated with respect. She said she had more issues with the climate at SOGS which were noted in her report.

Judge Nielsen noted that EBP is a theme. When he visited LHS, he was impressed with the photos taken of youth; for some, this was a first experience. He noted that CAP (Cadet Achievement Program) used positive reinforcement, and asked if the concept of rewards/reinforcement was more effective. Mr. Huber said incentives are motivating for youth. Ms. Malone noted that by rewarding young people you will get better outcomes. Ms. Malone said she saw a soft and direct approach being used with youth.

Mr. Huber said that delinquent offenses are symptoms of causes and that the whole system of mental health, child protective services and juvenile justice needs to be looked at as a whole.

Co-chair Moeser asked if they observed any differences in trying to connect with families. Mr. Huber said that counties need to do a better job of building a bridge too. Ms. Malone said she always wants to see more family connections.

Co-chair Moeser asked how they would restructure things given what they knew about the issue of costs. Mr. Huber said that the far end of the continuum for offenders should not be lobbed-off. He said detention beyond 30 days could be looked at as an option. Moeser cited the ACE program in Racine as an example.

Committee member Solberg spoke about the issue of shorter stays and noted that 6-9 months is the length of stay for kids now. He asked what an ideal approach in the community would look like with shorter stays in the JCI's. Mr. Huber said that cognitive programs would need to be replicated, and he wondered if institution staff could go on the road and train county staff on the program. He said the community needs to replicate

programs and train staff. He also said that the longer the placement, the more the youth becomes institutionalized and the harder it is to build a bridge with the community.

Committee member Burmaster asked about the possible implications of a single institution. Ms. Malone said assaults will go up, strain on staff, inability to specialize more with programming and more overtime. She said, "I am not a fan of big institutions". One facility will not do it for handling the bridge issues. She also mentioned the need to assign youth to treatment based on their risk levels.

Judge Nielsen mentioned a project on the adult side which looks at assessing and measuring risk levels of offenders and then basing sentences on the risks and evidence. He said that he does not have tools to separate youth and they are not presented to him now. He said that institutions are viewed as placements of last resort.

Mr. Huber noted that moving to one institution would be going against the national trend. He said counties lack resources, the front end didn't work and that a whole continuum needs to be built.

Judge Askenette raised the issue of mental health services and Mr. Huber noted that counties in the Western part of the state have difficulty finding providers.

Co-chair Moeser inquired about running smaller facilities and Mr. Huber said the equation is broader than either LHS or EAS. He said that two smaller institutions with regional services might be an option, but a plan should have a five year forecast.

Co-chair Moeser asked if it would be seen as an incentive if one of the institutions were closed. Mr. Huber replied that a crisis is a great opportunity to look at the system.

Co-chair Lewis stated that economic issues are key and money is scarce. There is a need to look at reality and the possibility of recommending the closure of one of the institutions. He asked Ms. Malone and Mr. Huber about the atmosphere, staff, and if one institution was more productive than the other.

Mr. Huber said both were great, but that it would probably be easier to close LHS than EAS. Mr. Lewis noted that re-entry is important.

Ms. Malone did feel there was a difference in staff commitment. At EAS, the Youth Counselors were not present during her visits. At LHS, they introduced themselves and spoke with her and she could engage them in a discussion about what their work. At EAS, she couldn't engage staff in discussions about programs, transition, and outcomes for kids. She thought reception was good at EAS; that it was a good starting point.

Ms. Malone said, "I would vote for Lincoln". Co-chair Lewis noted that most of the youth come from Milwaukee, Racine and Kenosha and that re-entry is important. Ms. Malone said that transportation costs would go up.

Mr. Lewis asked Mr. Huber for his recommendation on which institution should be kept that would be more beneficial for youth. Mr. Huber said it isn't an either or and he asked if both could be downsized. He wondered if it was necessary to have sex offender treatment at both institutions. He also thought it would be very hard to bring the entire population to LHS.

Co-chair Lewis felt that staff at EAS was hostile a bit to us being there. Mr. Huber said he found the staff receptive at all three facilities. Lewis said that some hard choices will need to be made and that the situation is tough.

Mr. Huber shared that he is leaving his job at La Crosse County after 12 years. He is moving to New York where he will work for the state and oversee a Developmental Disabilities Region on Long Island. Ms. Malone said she retired in 2007 from her job as manager of Delinquency and Court Services for Milwaukee County. She is now doing consulting work. Ms. Malone and Mr. Huber were thanked for addressing the committee.

III. Presentation by Wisconsin Counties:

Sarah Diedrick-Kasdorf, Senior Legislative Associate with the Wisconsin Counties Association (WCA), and Larry Winter, Director of Chippewa County Department of Human Services, Peggy West, 2nd Vice-Chair of the Milwaukee County Board of Supervisors and Chair of the Committee on Health and Human Needs, and Eric Meaux, Administrator of Delinquency and Court Services for Milwaukee County presented testimony to the Committee. They distributed handouts of their remarks.

Ms. Diedrick-Kasdorf led off with a review of the Committee's mission and a review of Youth Aids funding which started in 1981. She covered the following points in her testimony:

- Youth Aids funding is insufficient to cover the costs of delinquency services. The \$100.8 million allocated to counties covers about half of what the counties spend and the majority of this money is used for out-of-home placements.
- Since calendar year 1995, the Youth Aids allocation increased 17.7% while the daily rates of the juvenile institutions increased 162%.
- Prior to 1996, increases in the daily rate were funded per statutory requirements.
- Action needs to be taken to reduce the daily rates charged to counties regardless of the Committee's recommendation about the number of juvenile institutions in the state.
- The Committee should adopt recommendations in DOC's rate study that was required by the legislature during the 2005-2007 biennial budget period. These included: increase Youth Aids to cover rate increases, use GPR to cover some fixed and variable costs and remove them from the daily rate, use GPR to fund the cost of the girls mental health unit, include the institutions in the distribution of state school aids, and use federal school breakfast/lunch money to offset the costs of food.
- Based on an average daily population of 430 youth, the state's projected daily rate of \$375 is unacceptable. This equates to an annual cost of over \$136,000 per youth.
- Counties are concerned that daily rates will go up even if the two male institutions are consolidated.
- Counties have been hit hard; sales tax revenue is down, state funding for human services is down, and counties are cutting programs.
- WCA and the WI Counties Human Services Association are on record as supporting the return of 17 year olds to the juvenile system as long as all costs are fully funded.
- Counties are concerned about the daily rate charges and they question the feasibility of having two juvenile male institutions.
- Whether or not one institution is closed, counties hope to pursue options to serve youth at the local level including use of secure detention beyond 30 days. Benefits cited included having youth closer to their families and more re-entry coordination and planning.
- A county official was quoted as saying this is not just a "dollars and cents issue" but that the system should be challenged to find ways to serve youth who need secure care with a program model that facilitates positive changes.
- Increasing costs of the institutions must be addressed. The Committee was urged to make recommendations for changes in the operation and funding of the

juvenile institutions, including possible consolidation of the male institutions that will reduce the rates counties have to pay for youth sent to corrections.

Larry Winter, Director of Chippewa County Department of Human Services, addressed the Committee from a county perspective. He noted that he has been in Human Services work since 1991 and that he previously worked in La Crosse County.

He distributed written information about an e-mail survey he conducted of 18 counties located mostly in the Northwestern part of the state. He asked counties to respond to the following:

- What is your position regarding the potential closing of one of the Juvenile Correction Institutes (JCI) for boys?
- What other option could be utilized to meet this need?

Fourteen of the 18 counties surveyed responded. The consensus of the respondents was that the current population does not support continuation of two JCIs for boys. Counties believe that one of reasons for the decrease in JCI placements is the expansion of community based services at the local level. Two concerns of the northern counties if LHS is the JCI targeted for closure include: placement of youth from the Northern rural regions of the state with youth at EAS which tends to have an urban flavor to its population with a distinct set of complex issues, and the "distance factor" for counties in the northern regions. Youth will be further away from families and county staff and this will increase challenges of coordinating re-entry planning.

Options proposed by the counties if one of boy's schools were to close include:

- Study other evidence-based models that support smaller, community based settings for youth offenders.
- Utilize secure detention facilities to provide this level of programming.

Mr. Winter's remarks included a request for action on the following:

- Prior to closing a JCI, DOC and the counties should work together to develop a strategic plan to ensure a smooth transition during the process of closing one of the schools.
- Add statutory language in Chapter 938 that will allow secure detention facilities to expand their programming to accept JCI level youth.
- As a result of the closing of one of the JCIs, re-invest a portion of the dollars into Youth Aids so that counties can continue to support community based juvenile services, and/or to expand services in detention facilities to meet a new level of programming.

Mr. Winter said the counties believe the current issue is an opportunity to be innovative across the counties, the courts and DOC, and that all parties should work together to plan and implement new initiatives to serve youth. Goals include:

- A standardized risk assessment for use across the state that ensures consistent decision-making about the level of intervention need to protect citizens, treat youth and restore harm to victims.
- Service equity and efficiency is needed; identify a core level of services that can be consistently delivered across the state.
- Equitable and affordable funding.

Committee members asked questions of Sarah Diedrick-Kasdorf and Larry Winter: Judge Nielsen asked Mr. Winter if he saw a need in the future for JCIs and he replied that evidence does not bear it out. The trend of other states is a more regional approach; the

advantage is location closer to families and re-entry planning. Sarah noted that counties cannot afford "business as usual" and a representative of a county was quoted: "challenge the system to find a way to serve kids"

Committee member Burmaster stated that we need to look at what is a good correctional facility and not focus on urban versus rural. Mr. Winter replied that he thought Northern counties would be reluctant to send their youth to EAS and this is based on their belief and perception. Judge Nielsen wondered about the inclination of urban counties. Co-chair Lewis said the severity of offenses is an issue. Judge Nielsen stated that judges in the rural areas know the youth more and that judges in urban areas sentence harsher than those in rural areas. He also noted that most of the youth he has sent to Corrections were Native American. Judge Askenette said LHS has resources to expose youth to Native American teachings and these could be taken back to the reservations.

Co-chair Moeser commented about regionalization of juvenile services and identification of core services by the counties. Mr. Winter noted that he is looking at sharing the costs of a juvenile services manager position with Dunn County. Sarah commented that the 1993 Visions Report discussed the funding of Human Services in WI. The Kettle Commission Report also talked about the state needing to fund a core level of services. She said that regionalization is in the very early stages of consideration and that counties are open to looking at it.

Co-chair Moeser wondered what is stopping the counties. Mr. Huber said that changes in statutes are needed and that census problems exist at the local level too. He talked about an attempt to have neighboring counties in Minnesota use La Crosse County's detention beds, but that statutes didn't permit it. He said that regionalization is a means and not a cure all; funding is the key.

Larry stated that alternative options for use of facilities need to be considered, and that whenever something is built, it should be defined for more than one thing. He also cited an example of cost sharing among counties now; three counties got together and obtained a grant to locally serve youth who commit sex offenses.

Committee member Mertens echoed an earlier comment by Mr. Huber about not wasting the opportunity of a crisis, and that broader discussion is needed. He also noted that the Governor will be out and possibly the Secretary of DOC. Administrator Carpenter noted that possibility for herself too. Sarah also said the issue is broader; and the work will not be done by just closing one juvenile institution.

Judge Triggiano asked about the 2007 Rate Study Report that looked at the costs of the JCI's. Assistant Administrator Silvia Jackson talked about the report required by the Legislature, and mentioned a section of it that compared the costs of secure care in WI to those of other states. She said the report looked at different methods to address costs and that it contained 11 options. Administrator Carpenter said that copies of the Report would be made available to the Committee. (Copies were distributed later in the meeting).

Peggy West and Eric Meaux from Milwaukee County addressed the Committee. Ms. West distributed written copies of her testimony and noted that it contained a resolution introduced by Board Chair Lee Holloway. Ms. West made several points during her presentation including the following:

- Milwaukee County is the primary user of the state's juvenile institutions. About 50% of the kids at LHS and about 70% of the kids at EAS are from Milwaukee County.
- Counties and the state must re-examine how to most efficiently provide for youth in secure care given the continuing reductions in juvenile crime and emerging trends in juvenile justice practice.
- Recent studies suggest that youth sent to juvenile facilities are no less likely to re-offend than youth supervised in the community.

- Realignment of limited resources for community-based interventions is more cost-effective while maintaining public safety.
- It is time for Wisconsin to reform its approach to juvenile incarceration.
- Large scale institutions have become inefficient due to excess capacity and the financial strain they place on the remainder of the juvenile system.
- DOC has revealed that “the daily rate charged to counties still would increase if either Ethan Allen or Lincoln Hills were closed. Our kids, and the taxpayers, simply deserve smarter juvenile justice strategies”.
- It is not unreasonable to think that the underutilization of the institutions demonstrates an acceptance of community-based programming in Wisconsin.
- The priorities of the state’s correctional philosophy for juvenile must not be driven by economic development concerns of the communities where EAS and LHS are located.
- Wisconsin should join other parts of the nation, explore and move forward with implementing restrictive, safer, smaller-scale local alternatives for juveniles.
- State costs for juvenile incarceration increase as population declines.
- Daily rates charged by the JCI have increased 75% since 1999.
- DOC states that the daily rate charged to counties in FY 2011 (assuming an ADP of 430) would increase by \$100 to \$375 per day. This would equate to a cost of more than \$136,000 a year to house one juvenile for a year.
- It would be beyond the pale for the State to ask Wisconsin Counties to absorb a 36% rate hike to maintain two underutilized DOC facilities where staffing levels exceed the population being served.
- Based on the DOC rate projections for 2011, Milwaukee County estimates that secure care costs could increase by about \$8 million next year.
- Best practices suggest that placement locations that facilitate family contact are a critical component and should be considered by the Committee.
- A round trip by car between Milwaukee County and Lincoln Hills is at least 7 hours.
- “If the State moves to close Ethan Allen over Lincoln Hills, Southeastern Wisconsin, with financial support from DOC, must be given the opportunity to develop innovative solutions for secure care closer to home”.

Eric Meaux talked about the programs/services that Milwaukee County has available for youth. He explained that the county provides statutorily required intake and probation services. They also purchase direct services through various agencies. The programs and services were listed in a handout distributed along with Ms. West’s testimony.

Mr. Meaux said that fiscal pressures are driving things at the county level. He also said that Milwaukee County judges and prosecutors act independently of the Department’s recommendations. He believes Youth Aids did what it was intended to do.

Staff training and re-entry work has been implemented through collaborations with the county, Milwaukee Wraparound and MPS. He noted that detention use is down; and he said the county has been trying to work with community agencies to address kids’ behavior. He said that Milwaukee County offers a “traditional supervision and services” approach. Aftercare is key along with the need to bridge services. He mentioned a federal grant they obtained to deal with re-entry.

Mr. Meaux responded to a question from Co-chair Moeser about the cost of the FOCUS program and said that it costs about \$30,000 per year. He noted that when group homes are not at capacity those daily rates go up too. He said that Milwaukee County has taken over some of the group homes. Judge Triggiano made the observation that FOCUS kids would be at the JCIs if the program didn’t exist.

Co-chair Moeser asked Mr. Meaux what he saw as trends in Milwaukee. Meaux replied that that in the 90’s there was an infusion of cash for programs like Safe Alternatives for Youth, and

Brighter Futures. Some of these prevention programs may have had an impact by keeping kids out of the system. He also noted that Child Welfare and Termination of Parental Rights (TPR) policies have changed. He noted that the county's TPR actions have increased by 14% and this may have kept some kids out of the juvenile justice system. He further noted that referral rates are down and that recidivism rates of kids who re-offend two, three or more times have declined too.

Judge Triggiano noted that the number of Child Welfare cases is down too, and so the number of "cross-over youth" would be down too.

Committee member Vance noted that during the site visits and observation of the re-entry process, she feels there is a gap. Mr. Meaux said that DJC provides aftercare services for Milwaukee County, but that he wants to be a part of the re-entry process too because of their knowledge of local resources.

V. Review of Data and Discussion with Staff

After a lunch break, Assistant Administrator Silvia Jackson led off the review of data by summarizing the Administrator's Memo to Counties #10-10 which details how counties used the Community Intervention Program allocation of \$3.75 million for FY 2009. She noted that counties use the funds for various programs such as intensive supervision. She noted that programs stay about the same from year to year now.

David Bajkiewicz, DJC budget staff, walked through a handout on staff injuries over the time period 2005-2009 at the three juvenile institutions. Higher injuries due to staff battery by youth were noted at Southern Oaks Girls School, and this was attributed to the mental health issues of the girls.

A handout on the use of chemical agents and restraints and seizure of contraband was covered by Ms. Jackson. The data was presented for CY 2009 by month by institution. Ms. Jackson also covered a handout on Youth Complaints for 2009. Burmaster asked why contraband comes into the facilities. Ms. Jackson said it comes in through visits with youth, through staff, and items being left near the perimeter fence. The most serious contraband is a cell phone.

There was a general discussion about some differences in the numbers between the institutions. Higher use of restraints at Southern Oaks is due to SOGS running their own mental health unit for girls. Also, Lincoln Hills School adopted an incentive program for youth a while ago, and the behavior of youth is getting better. There was some resistance by staff at EAS to the approach; they felt too much was being given away to youth, but they are now moving forward with the incentive program.

Judge Askenette inquired about resistance to the Boys Club at EAS. Ms. Jackson said there was some initially due to the focus on recreation, but after some time, this has come along now. She noted that staff from EAS partner staff from the Boys Club and they have worked jointly on projects such as taking kids and their families to Camp Whitcomb. Now they work on things like vocational programming and developing job searching skills.

Ms. Jackson noted that youth have the ability to file anonymous complaints in their living cottages where locked drop boxes are available.

David Bajkiewicz reviewed a handout on recent and pending capital projects for EAS and LHS. Some of the items listed have been completed, some are in process, and others are being requested in the 2011-2013 budget proposal. Items on the list include general maintenance of the housing units.

Administrator Carpenter mentioned a comprehensive camera project which was not included on the list. She gathered some information from Kansas, and stated there is a need for the project.

Shelley Hagan, DJC staff, walked through a handout on Missouri's definition of recidivism and highlighted a chart of some the recidivism rates reported by the state. Making comparisons between the Missouri and Wisconsin recidivism rates is difficult for reasons including:

- Missouri has something called "dual jurisdiction" which places youth on both adult and juvenile court orders.
- There is no standard follow-up period in Missouri's definition of recidivism that looks at youth returned to their juvenile system. The rate reported for this category for FY 2007 was 7.3%.
- Youth releases are not measured solely from correctional facilities. Missouri's system includes releases from day treatment programs, other residential programs and secure care facilities.
- Missouri's population of youthful offenders ranges from status offenders to those who commit serious felonies. Missouri's system is state operated.
- Missouri uses more than one definition of recidivism which makes comparisons difficult.

Administrator Carpenter noted that the Association of Juvenile Justice Administrators is looking at the issue of recidivism definitions, and they want to standardize a definition across states.

Judge Triggiano asked how Missouri's system looks now compared to before; she wondered if recidivism rates are better now than before.

Shelley Hagan reviewed a memo on statutory provisions related to the operation of juvenile correctional institutions by the Department. She pointed out that there is no statutory listing or "enumeration" of juvenile correctional facilities as there is in Chapter 302, Stats., for all the adult prisons operated by DOC.

State law does require DOC to operate a juvenile "training school" for delinquent boys in the Northern part of the state. This is outlined in s. 301.20. State law also requires the Department of Health Services to operate MJTC on the ground of the Mendota Mental Health Institution. Administrator Carpenter noted that DOC may close EAS but not LHS without a statutory change.

Ms. Hagan indicated that state corrections can contract with private agencies, but that the authority to receive and oversee correctional commitments may not be given to anyone else. She said language is an issue as far as capturing federal dollars. Type 1 correctional status does make someone ineligible to receive federal reimbursement; Type 2 correctional status does not. The language "inmates of a public institution" comes into play and directs funds.

David Bajkiewicz discussed a handout on security stays. The information was presented as the number of youth who received security stays, by type of security stay, for the time period 11/01/2008 through 04/30/2010. The types of security stays were defined on the handout and one example cited included "CC" for close confinement –restriction of a youth to his/her room.

Bajkiewicz covered a handout on recidivism data for the Boys Club at Ethan Allen Targeted Re-entry Program 2004-2009. The handout was prepared by the Boys and Girls Club of Greater Milwaukee. It shows that youth in the Targeted Re-entry Program had a recidivism rate 42% lower than the control group of juvenile corrections youth. A total of 159 youth have participated in the program

Next Bajkiewicz reviewed a handout on Youth Conduct Reports for the time period 11/01/2008-04/30/2010. He stated the number of incidents is higher than expected based on the population of youth. Youth at EAS school had a total of 2,790 incidents and those at LHS had a total of 1,638 during the data collection period. He noted that offenses are defined in Administrative Rule

and they are used consistently. One youth could be involved in an incident that resulted in several citations.

Bajkiewicz covered the next handout that showed the number of commitments by county for 2009 and some demographic information. It was noted that Milwaukee sends about half of the commitments. Commitments from Rock and Dane Counties have increased.

Judge Nielsen indicated that county people have the perception that youth from Northern counties may have trouble with placement at Ethan Allen School which has a more urban population. Committee member Mertens indicated that gang affiliation may be an issue in mixing urban and rural youth. Administrator Carpenter said DJC has little difficulty with gangs at the institutions. Youth are separated for reasons including age (older youth have separate housing units) and sex offenders are also housed separately.

Co-chair Lewis commented that he thought Lincoln Hills School was more effective at correcting youth, but that most of the people who need correcting are located in Southeast WI. Also, Lincoln Hills lacks staff of color.

Committee member Burmaster said he tried to hire teachers of color for many years in the Madison school system. He also talked with youth at Lincoln Hills who had been at both facilities. They thought there was more danger at Ethan Allen School, but they wanted to be there because of their friends.

Judge Nielsen said "workarounds" would be needed to address the problem of transportation. He noted the letter in the data packet from the Mayors of Tomahawk and Merrill. He indicated that a lot of land is available at Lincoln Hills. Administrator Carpenter noted that she had met with the DNR about an outdoor education program, and that it would be easier to expand more in Lincoln County.

Co-chair Lewis said he thought LHS was more effective, but that it was a shame that youth have to be incarcerated to get an education. He said the kids respond to the structure and discipline at the institutions. He thinks the kids would be better off at LHS, but that it would be very hard to tell the community this, and to convince the neighborhoods.

Committee member Mertens said that if it is either EAS or LHS, it is only the beginning. Judge Nielsen added that they heard from people today that having "zero" large institutions is the best way to go. He asked if there is a need for a longer term AODA facility and noted that Secretary Raemisch mentioned this need. He also added that he thought LHS had superior programming and that things were working for the kids there.

David Bajkiewicz walked through handouts on visitation data at the schools, the number of 17 year olds at the adult facility in Racine, and the number of grievances filed by security and WEAC staff at the institutions. Julie Peters questioned the inclusion of pre-filings at EAS, but Bajkiewicz stated that pre-filings had been removed from the totals shown on the chart.

Judge Nielsen asked if the same effectiveness would continue if the institutions were combined. Administrator Carpenter noted that teachers and security staff would have to be added at the remaining institution. Judge Nielsen said the system needs to be looked at, and that it is more than just one institution compared to another. He said there should be more to the recommendation than closing one institution.

Copies of the DJC Rate Study mentioned earlier were distributed.

VI. Questions/Responses –DeWayne Street, DOC/DAI Education Director

Mr. Street addressed the committee about his work to assess the school environment at Ethan Allen and Lincoln Hills Schools. He said he interviewed staff at Ethan Allen from September through November of 2009. He didn't use a script.

He noted morale and conflict issues at EAS. For some staff this goes back 10-15 years. He thought there was a heavy layer of dysfunction there, and while the curriculum seems to be meeting the needs of the kids, they could be achieving better.

He identified the following issues: lack of leadership, lack of accountability, lack of trust between teachers and administration.

At LHS he found a totally different environment. It seemed more relaxed and he felt the staff seemed more enthusiastic about their practice. He noted a reluctance of staff to talk much. He found a lack of access to technology, and occasional communication problems with the rest of the institution. He said there was fluctuating morale among staff due to possible closure of the institution.

Co-chair Moeser asked the group for questions. Mertens asked about LHS staff and their apprehension to share. Streets said there was some anxiety among staff to talk, and concern that if they shared too much, it would be held against them.

Judge Triggiano asked if staff at EAS were afraid about closure too. Mr. Street said they had more concern about heart-felt issues from the past and not so much about closure. Judge Triggiano asked about the issue with the school at EAS. Mr. Street referred to his report dated February 2010. In one of the points, he said that a great deal of disrespect existed and that trust needed to be rebuilt among staff. Professional development was recommended.

Administrator Carpenter noted that two teachers were responsible for the conflict, and she talked about steps being taken to address the problems. She said there was a change in leadership of the institution. The new Superintendent is working with the school. Staff development is being addressed, and the issue of the student's schedules.

Paula Decker, the Education Director at EAS addressed the group. She told the group to not let the conflict of two people cause them to think that EAS is not a good place for kids. Co-chair Lewis commented that he was taken aback when he read the report; that two people were causing all the problems.

Mr. Street said that he used the same methodology of free range conversation at each institution. He also indicated that he didn't know that the assessments would be a part of the process now. Co-chair Moeser noted that the assessments would not be a "make or break" component of the process. Burmaster asked about what is being done to help the teachers. Ms. Decker stated that she had a good conversation with the teachers and they are working on literacy and she sees collaboration and engagement among the staff.

VII. Committee Discussion and Planning

Co-chair Moeser distributed a copy of a letter to Secretary Raemisch which let him know the Committee will be working past the deadline. He thanked people for their work. He noted that everyone has a stake in the work of the group. Administrator Carpenter noted that the Secretary will talk with the group after they have reached a preliminary decision. She also said that some scenarios of alternatives will be pulled together by staff.

The last full meeting of the Committee will be held on June 2, 2010 from 10:00AM-4:00PM at DOC in the Secretary's conference room. The meeting adjourned at 3:58pm.

Prepared by Elaine Olson and Jocelyn Schoeneck, staff to the Committee

