

1969 Senate Bill 766

Date published:  
January 23, 1970

**CHAPTER 333, LAWS OF 1969**

AN ACT to amend 46.16 (1), 46.17 (1) and 48.31; and to create 48.02 (13) of the statutes, relating to authorizing counties to establish and maintain shelter care facilities for juveniles.

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

SECTION 1. 46.16 (1) of the statutes is amended to read:

46.16 (1) The department shall investigate and supervise all the charitable, curative, reformatory and penal institutions, including county infirmaries of every county and municipality (except tuberculosis sanatoriums); all detention homes *and shelter care facilities* for children and all industrial schools, hospitals, asylums and institutions, organized for

the purpose set forth in section 58.01, and familiarize itself with all the circumstances affecting their management and usefulness.

SECTION 2. 46.17 (1) of the statutes is amended to read:

46.17 (1) The department shall fix reasonable standards and regulations for the design, construction, repair and maintenance of county homes, county infirmaries, county hospitals, houses of correction, reforestation camps maintained under s. 56.07, jails and lockups, and juvenile detention homes *and shelter care facilities*, with respect to their adequacy and fitness for the needs which they are to serve.

SECTION 3. 48.02 (13) of the statutes is created to read:

48.02 (13) "Shelter care facility" means a nonsecure place of care and custody for those juveniles who, in the opinion of the juvenile judge, can be cared for in such facility.

SECTION 4. 48.31 of the statutes is amended to read:

48.31 ESTABLISHMENT OF DETENTION HOMES AND SHELTER CARE FACILITIES. (1) The county board of one county may establish a detention home *or a shelter care facility or both* or 2 or more counties may join together and establish a detention home *or a shelter care facility or both* in accordance with s. 46.20. In counties having a population of less than 500,000, the policies of the detention home *or shelter care facility* shall be determined by the judge of the juvenile court or, in the case of a detention home *or shelter care facility* established by 2 or more counties, by a committee of the judges of the juvenile courts in the participating counties. In counties having a population of 500,000 or more, the nonjudicial operational policies of the detention home and the detention section of the children's court center shall be established by the county board of public welfare as specified in 48.06 (1), and the execution thereof shall be the responsibility of the director of the children's court center.

(2) Plans for the detention home *or shelter care facility* shall be approved by the department as provided in s. 46.17. If the department approves, the home may be a part of a public building in which there is a jail or other facility for the detention of adults if it is so physically segregated from such jail or other facility that it may be entered without passing through areas where adults are confined and that children detained in the home cannot communicate with or view adults confined therein.

(3) In counties having a population of less than 500,000, the detention home *and shelter care facility* shall be in charge of a superintendent and shall be furnished and conducted, as far as possible, as a family home. The judge or, where 2 or more counties operate a joint detention home *or shelter care facility*, the committee of judges shall appoint the superintendent and other necessary personnel for the care and education of the children in the detention home *and shelter care facility*, subject to civil service regulations in counties having civil service. In counties having a population of 500,000 or more, the director of the children's court center under the direction of the county board of public welfare as specified in s. 48.06 (1) shall be in charge of and responsible for the detention home, the detention section of said center and the personnel assigned to this section, including a detention supervisor or superintendent. The director of the children's court center may also serve as superintendent of detention if the county board of supervisors so determines.

Approved December 15, 1969.