

WISCONSIN STATE ASSEMBLY

STATE REPRESENTATIVE
DAVID BOWEN

10TH DISTRICT

Testimony on Senate Bill 660
Committee on Judiciary and Public Safety
January 30, 2018

Good (morning/afternoon), members of the committee, thank you for listening to my testimony on Senate Bill 660, allowing judges to place some youth offenders in small, secured residential treatment centers. I also want to thank you, Chairman Wanggaard, for bringing this important bill before your committee for a public hearing and for your interest and help in taking this issue on.

As we all know, responsible changes need to be made to our Youth Corrections system. The governor has encouraged the legislature to send him a bill this session so we might improve outcomes for troubled kids and their families sooner rather than later.

SB 660 is not meant to be an end-all be-all of youth corrections reform, though the reforms it makes represent a potentially enormous relief for the current Type 1 facilities, Lincoln Hills and Copper Lake – or new Type 1 facilities that may be opened as a result of the potential bill Governor Walker has floated. Whether the governor's plan, where several Type 1 facilities would operate throughout the state, or something similar passes or not, SB 660 would take a lot of pressure off our Type 1 efforts and allow workers at those types of facilities to focus on the most serious youth offenders as determined by judges.

SB 660 takes advantage of a category of youth placement that already exists in state statute but has simply not been used by the Department of Corrections – Secure Residential Care Centers for Children & Youth, or SRCCCYs. The operative word is *secure*. Right now, Counties can operate *non-secured* spaces for youth focused on rehabilitation and restoration using trauma-informed care. The only difference between those spaces and the ones proposed in SB 660 is that the centers would lock from the inside - the residents could not come and go as they please.

This bill would transfer the authority of licensing SRCCCYs from DOC to DCF, enlisting the existing expertise of DCF in improving outcomes for young people. I do want to recognize the work of Senator Taylor, my Senator, who has also done a lot of work to push the system in a different direction.

You are likely to hear from DCF today that they are not equipped to operate this type of space. I want to be clear – DCF will not be charged with operating these care centers. As the state agency most equipped to oversee this important type of reform, this simply transfers licensing and oversight to DCF. Counties would either operate, or contract with child welfare agencies, to staff and operate the spaces under guidelines and administrative rules determined by DCF.

The only county required to act under this bill is Milwaukee County – who the bill allows to determine their own capacity and space needs and who supports this bill, while other counties would have the

ability to do so if they chose. SRCCCYs would house up to 12 young people who judges determine to be suitable residents of these facilities.

The only requirement of the county is to establish at least one SRCCCY. This bill gives the flexibility to counties to work together – county boards, executives, and judges – to determine how many spaces they want to open based on what they foresee their need being.

Let's talk about money. Right now, counties are spending about \$400 per day, per student to have young people housed at Lincoln Hills. That's almost \$150,000 per year per student. If Milwaukee County can place 24 students locally in two SRCCCYs, they'll have saved about \$3.5 million per year which they can use to operate two facilities. It's likely there will be significant cost savings for the county, while improving outcomes for kids. Ultimately, the latter is all that should matter, but the cost savings will sure be helpful to county budgets.

I have been asked what the purpose of this bill is considering the governor's calls for juvenile corrections reform. We need to address the ongoing problems at Lincoln Hills, and while the governor has called for this to happen, we haven't seen a bill and we don't know what could come of those negotiations, and if or when action will happen.

This bill and the larger youth corrections system are not mutually exclusive. No matter if or when broader youth corrections reform happens or what it looks like, this bill does not hinge on that. The effects of SB 660 are intended to work alongside the broader youth correctional system and offer judges an option for young people that they don't believe should be in unsecured housing, yet who don't belong in a Type 1 facility.

Thank you, and I'm happy to address any questions.

My name is Nailah Johnson. I am a Program Coordinator at Urban Underground, a grassroots leadership organization located in Milwaukee, WI which provides programming to create the next generation of leaders for high school age students. I am also an advocate, a concerned citizen of the greater Milwaukee community, and a member of the Youth Justice Milwaukee Coalition. I would like to speak on my support of the Senate Bill 660 on Secure Residential Care Centers for Children and Youth from the perspective of being a young adult.

I work with Milwaukee young people every day, and I can tell you that working with young people has taught me the importance of a reliable support network and access to opportunities within our own communities. As someone who works with young people, I know that it takes a lot of patience, love, mentorship, and support to keep our young people safe and thriving.

I strongly support Senate Bill 660 because what it aims to do is have Wisconsin take a prevention approach as opposed to a more reactive approach that confines our most vulnerable youth. As a recent alum of Marquette University's Health Sciences College I see the model that Wisconsin now uses through a health approach lens. Providing the option of residential care centers for youth in their own communities would be Wisconsin's method of applying a prevention model when accounting for youth in our youth justice system. With community-based alternatives we can address youth and intervene before they have to be filtered into the prison system, which can and has been causing too much harm to our young people. From the data, incarcerating young people does not work and should not be used as the first option.

The residential care centers for children and youth are a phenomenal first step to investing in better alternatives for our young people. Prison intensifies the trauma young people face, which is the opposite of how we should support the youth that need us the most. It is our duty to protect and ensure the security for our young people. I feel that when it comes to providing adequate support with these residential care centers that smaller is better, close to home is better, working with families is a must, and having experience working with children and youth is necessary. Placing the Department of Children and Families over the Residential Care Centers instead of the Department of Corrections is necessary because the DCF have experience working with young people and families. Unfortunately DOC has not had a positive history of working with youth based on the litigation that has occurred.

These are young people, and they are everyone's responsibility to protect and support in a healthy way. We need the alternative of Residential Care Centers for young people. Milwaukee needs these RCCs, and Wisconsin needs these RCCs. Other states, such as New York, California, and Ohio have taken this proactive, community-based approach and seen success and great benefits from the change. It is time for Wisconsin to do the same. We were all young at one time, and I ask that everyone understand that the challenges youth are going through today are difficult and different from the challenges today's adults faced as youth. We need to adapt to adequately support our young people of today, and we can begin by supporting Senate Bill 660.

Thank you for your time and considerations,
Nailah Johnson



January 30th, 2018

Sharlen Moore
Urban Underground/Youth Justice Milwaukee
4850 W. Fond du Lac Ave.
Milwaukee, WI. 53216

RE: Senate Bill 660: Secure Residential Care Centers for Children & Youth

My name is Sharlen Moore and I am the Director of Urban Underground and the founding member of Youth Justice Milwaukee. I have been working with young people for the past 25 years. I am also a mother of 3 biological children as well as mother to hundreds of young people that I have been blessed to work with over the many years of doing youth work. I would like to express my support of Senate Bill 660 on Secure Residential Care Centers for Children and Youth, which sets in motion the discussion of moving youth out of Lincoln Hills/Copper Lake into counties, under the DCF licensing control.

I have had the opportunity to personally work with young people from all walks of life. And one thing I've realized is that all of them make mistakes. Some more severe than others, but what I've learned is that young people need and want support to learn from their mistakes. With their growing and developing brains, young people need tangible opportunities to live hopeful and fulfilled lives. We must re-envision a world where locking up young people does not become the norm. In order for us to create thriving young adults, we must create an array of options that work for individual youth that make mistakes that impact themselves and their community. YJM believes that there should no longer be large, secure facilities run by DOC or the counties.

For years the Wisconsin DOC has failed to provide appropriate care and services to youth under its jurisdiction. Both federal and local investigations are ongoing and there has been a lawsuit filed as to the abuse of youth at Lincoln Hills and Copper Lake. Transferring licensing authority to the DCF allows for a child serving agency to have a hand in oversight of facilities that serve youth. DCF is already responsible for fiscal and programmatic oversight for the Youth Aids allocation and the community based programs. A transfer from DOC would strengthen DCF's ability to appropriately serve all youth, including youth in need of more support. Such a proposal should be one option on a true continuum of care for youth. We strongly believe that smaller is better for services and support of young people.

Tolerable proposal of these facilities are in communities, close to the youth's home, utilize a strength based approach to rehabilitation, and staffed by workers who understand the individual needs of the youth and their families.

WHAT YJM WANTS

1. Increase Public Safety by Creating a Continuum of Community-Based, Non-Residential Services that will Reduce Risk, Reduce Racial and Ethnic Disparities, and Reducing Incarceration: Invest in community based organizations and treatment programs focused on rehabilitating youth in their communities instead of incarcerating them. Additionally, the continuum would include funding for prevention-based interventions to reduce risk factors and strengthen protective factors. Such programs and services should be implemented with fidelity to ensure the highest rates of success.



Breaking the Cycle of Criminal Behavior by keeping teens at home, in school and out of trouble

January 30, 2018

Attention: Senate Committee on Judiciary and Public Safety
Re: Public Hearing on SB 660

Thank you for holding this public hearing on such an important topic. I speak today as a Wisconsin resident and a professional with more than 20 years of experience working to help young people successfully remain with their families, in their communities.

I am thrilled to see the topic of closing Lincoln Hills and Copper Lake finally getting the attention it deserves. While SB 660 is an important element in shifting the focus from Corrections and punishment to allow secure care facilities to be licensed by the Department of Children and Families, it is equally as important to ensure that we are funding proven programs in a continuum of services that will prevent the need for as many young people to be placed in these secure settings. This bill allows counties to determine the number of beds necessary for the young people placed in secure care and does not encourage them to develop family focused, community based alternatives. I fear that if we build them, we will fill them.

Many states are tackling this same social problem - they are closing their youth prisons and replacing them with treatment options - not smaller, regional prisons. We cannot let the current proposal to close Lincoln Hills and Copper Lake and open 5 new facilities to be a shifting of architecture. We need substantive change. The current model we use to incarcerate is not sustainable from a societal, individual or fiscal perspective. Lower cost and more effective options exist and we need to invest in those. We need to continue to reduce the number of young people who are sentenced to out of home placement and increase the availability of proven programs to help them grow and develop into productive tax paying citizens.

Multisystemic Therapy (MST) is one such proven program. I have worked with the MST model across the world for the past 19 years. MST is a scientifically proven intervention for at-risk youth. Therapists work in the home, school and community and are on call 24/7 to provide caregivers with the tools they need to transform the lives of troubled youth. Research demonstrates that MST reduces criminal activity and other undesirable behavior over the course of decades, not months.

Families are critical partners in these efforts - they know their children best and want the best for them. We need to include them in the process, not blame them for the problems. This starts by creating a planning process that includes involvement and participation by impacted communities as well as a reliance on data about what works.

In closing, the data is clear: youth incarceration does not work to reduce recidivism. Instead, we need to invest in community based, family focused treatments that will address the root cause of the problem at a fraction of the cost of youth prisons.

Brenda Keating Szumski
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Multisystemic Therapy

Proven Results

for Families and Communities

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The MST therapist consults with and coaches parents or guardians on strategies to set and enforce curfews and rules in the home, decrease the adolescent's involvement with deviant peers and promote friendships with pro-social peers, improve the adolescent's academic and/or vocational performance, and manage the challenges presented by criminal activity that may exist in the neighborhood.

Target Population

MST targets chronic, violent, or substance-abusing male and female juvenile offenders at risk of out-of-home placement. The "typical" MST youth is 14-16 years old, lives in a home that is characterized by multiple needs and problems, and has multiple arrests. As shown below, research-based models of delinquency and drug use indicate that family, school, and peer factors influence delinquent behavior.

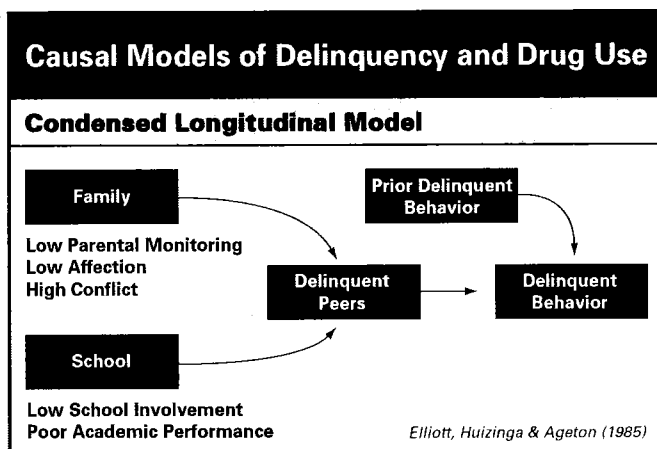
How Effective is MST?

Following treatment, youth who received MST reported significantly less aggression with peers and less involvement in criminal activity than youth receiving usual services (Henggeler et al., 1992). Moreover, families receiving MST reported significantly more cohesion than non-MST families. Importantly, MST was equally effective with youth and families with divergent socioeconomic and racial backgrounds.

Follow-up studies with children and families two years after referral (Henggeler, Melton, Smith, Schoenwald, & Hanley, 1993) and four years after referral (Borduin et al., 1995) supported the long-term effectiveness of MST. Despite its intensity, MST was a relatively inexpensive intervention, with the cost per client being about one-fifth the average cost of an institutional placement.

Another follow-up study (Schaeffer and Borduin, 2005) examined the long-term criminal activity of 176 youth who had participated in multisystemic therapy (MST) in a randomized clinical trial. Outcomes from this study indicated significant reductions in arrests and days spent in placement.

For more information about research-related issues, please visit www.musc.edu and use the search term "MST"



Multisystemic Therapy

Proven Results

for Families and Communities

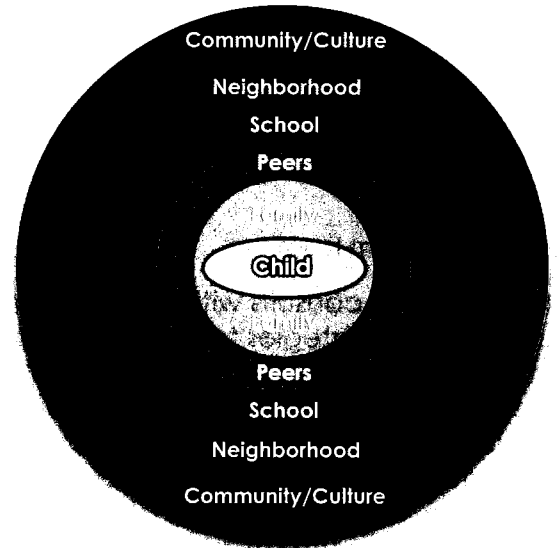
Introduction

Multisystemic Therapy (MST) is offering new hope to young people with serious behavioral disorders and their families. Too often, traditional mental health approaches for serious, violent, and chronic juvenile offenders and programs for treating adolescent substance abusers have failed to substantiate their effectiveness to reduce or eliminate problem behaviors.

What is MST?

MST is a family- and home-based treatment that strives to change how youth function in their natural settings—home, school, and neighborhood—in ways that promote positive social behavior while decreasing anti-social behavior. This “multisystemic” approach uses the ecological model shown above, which views the youth as living in a network of interconnected systems that encompass individual, family, peer, school, and neighborhood. MST interventions address those systems that are linked with anti-social behavior on a case-by-case basis. The primary goals of MST are to: (a) reduce youth criminal activity; (b) reduce other types of anti-social behavior such as drug abuse; and (c) achieve these outcomes at a cost savings by decreasing rates of incarceration and out-of-home placement.

Ecological Model



How are services delivered?

MST typically uses a home-based model of service delivery, in which therapists have small caseloads (four to six families); are available 24 hours a day, seven days a week; and provide services in the home at times convenient to the family. The average length of treatment is up to 60 hours of contact provided during a four-month period. MST therapists focus on collaborating with and empowering parents by using identified strengths to develop natural support systems (e.g., extended family, neighbors, friends, and church members) and remove barriers (e.g., parental drug abuse, high stress, and difficult relationships with mates) to improve their capacity to function as effective parents.

Continued on back >>>

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**Testimony before the Senate Committee on Judiciary & Public Safety
In Support of 2017 SB 660
January 30, 2018**

Nichole Yunk Todd, Representing Wisconsin Community Services (WCS)

Good morning, Chairman Wanggaard and Members of the Committee. Thank you for the opportunity to appear before you today.

My name is Nichole Yunk Todd and I represent Wisconsin Community Services, or WCS. Founded in 1912, WCS is the largest and oldest provider of social services to individuals who are involved in the justice system in the State of Wisconsin, serving over 15,000 individuals each year.

One of the 45 programs that WCS operates consists of two 24-hour residential homes for children involved in the justice system, called shelter care. Our agency will also begin operating a Residential Treatment Center for youth in the justice system in a few months. All of these facilities are licensed and regulated by the Department of Children and Families. In addition, WCS is a founding member of the Youth Justice Milwaukee Coalition.

I come before you today to urge you to support SB 660. This legislature and governor have an opportunity to transform a juvenile correctional system in Wisconsin that is outdated, ineffective, and abusive into a continuum of services that is designed to meet the needs of children who have a wide range of needs that influence their behavior.

The types of facilities that this bill creates are desperately needed in the State of Wisconsin. I would like to point to four reasons why we believe this model will be more successful than our current approach. First, the Department of Children and Families already licenses and regulates Residential Treatment Centers, or RTCs, and would be well prepared to oversee secure RTCs as well. The DCF, in our experience, does an exceptional job to ensure compliance with rules that are designed to keep kids safe, protect their privacy, and facilitate treatment and healing.

Second, we have heard countless times from judges in Milwaukee County that they do not want to send many of the children to Lincoln Hills or Copper Lake that they have, but they need more secure placements. Currently, the only secure alternative to Lincoln Hills or Copper Lake in Milwaukee County is a relatively few number of beds in our detention center, which is designed as a pre-dispositional placement. These new facilities would immediately allow for an alternative to Lincoln Hills and Copper Lake, expediting their closure.

Third, a setting of no more than 12 children is critical for several reasons. Fewer youth quite simply leads to fewer problems. In any group of people, social dynamics develop. What we have observed is that more children in one house leads to

January 30, 2018

Committee on Judiciary and Public Safety
Public Hearing

Claudine O'Leary
117 W. Walker St. #310
Milwaukee WI 53204

Regarding Senate Bill 660: Secure Residential Care Centers for Children & Youth

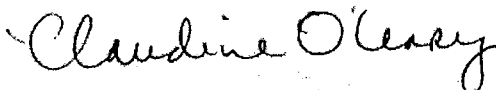
My name is Claudine O'Leary. I am the director of Represent, a grassroots organization building the leadership of teens with real life experience in the sex trades. I'm also an independent consultant providing training and technical assistance to nonprofits and public agencies, a resident of the city of Milwaukee and supporter of Youth Justice Milwaukee. I would like to express my support of Senate Bill 660 on Secure Residential Care Centers for Children and Youth.

As a part of my work with Represent, I lead a weekly group for teen girls being detained at the Milwaukee County Juvenile Detention Center. I've been leading that group as a volunteer for almost 5 years. It means that I know most of the girls who are incarcerated at Copper Lake School for Girls because girls spend months in detention as their case is heard before the courts.

Girls have reported to me about the ongoing abuses at Copper Lake/Lincoln Hills School for years. We can not continue to send our children to this institution. I've sat in many courtrooms to support girls and many times the primary reason cited by the court for sending a child to Copper Lake/Lincoln Hills has been a lack of other safe placement options.

We need more options and Senate Bill 660 would start this process. We need more local and smaller programs, including residential facilities for teens as a part of a continuum of care. This bill would also mean counties, including my home of Milwaukee County, could contract with enough residential treatment centers to provide care for our own children, instead of sending youth far away from home, family and support networks in their own communities.

I support Senate Bill 660 and would ask for your support as well. Thank you for the opportunity to offer my comments.



Claudine O'Leary