



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2017 Senate Bill 807**

**Senate Substitute  
Amendment 1**

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### **2017 SENATE BILL 807**

2018 Senate Bill 807<sup>1</sup> makes various changes to juvenile corrections, including the closure of Lincoln Hills and Copper Lakes Schools (hereinafter, collectively referred to as “Lincoln Hills”) and the establishment of new Department of Corrections (DOC) Type 1 juvenile correctional facilities and new county secured residential care centers for children and youth (SRCCCYs). The bill creates a state grant program to fund 95% of the costs of establishing or constructing SRCCCYs, and creates a temporary grant committee to oversee the grant program. Among other things, the bill also creates a temporary study committee to recommend a location for new Type 1 juvenile correctional facilities and to recommend administrative rules regarding juvenile services and programming provided in SRCCCYs.

### **SENATE SUBSTITUTE AMENDMENT 1**

Senate Substitute Amendment 1 retains the closure of Lincoln Hills, includes an expansion of Mendota Juvenile Treatment Center, and creates a temporary study committee to research and generate recommendations on particular topics and develop draft legislation.

### **Closure of Lincoln Hills**

The substitute amendment requires DOC to permanently close the Type 1 juvenile correctional facilities housed at Lincoln Hills no later than **January 1, 2021**.

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<sup>1</sup> Senate Bill 807 differs from the Assembly companion bill, Assembly Bill 953, as the companion bill was amended and passed by the Assembly. A description of the amended Assembly version of the bill may be found here: <https://docs.legis.wisconsin.gov/2017/related/lcamendmemo/ab953.pdf>.

### **Expansion of Mendota Juvenile Treatment Center**

The substitute amendment requires the Department of Health Services to construct an expansion of the Mendota Juvenile Treatment Center, which is a 29-bed secure treatment facility. The expansion must accommodate no fewer than 29 additional juveniles.

The substitute amendment adds the Mendota Juvenile Treatment Center expansion to the 2017-19 Authorized State Building Program and increases the general fund supported borrowing by **\$15 million** for the project.

### **Juvenile Corrections Study Committee**

The substitute amendment creates a Juvenile Corrections Study Committee (“Study Committee”) in DOC to develop recommendations and draft legislation incorporating those recommendations by **February 1, 2019**. The committee terminates shortly thereafter, on March 1, 2019.

#### **Committee Membership**

The substitute amendment creates a 25-member committee consisting of the following members: (1) the DOC Secretary, or his or her designee; (2) the Department of Children and Families (DCF) Secretary, or his or her designee; (3) the DHS Secretary, or his or her designee; (4) the Superintendent of Public Instruction, or his or her designee; (5) the State Public Defender, or his or her designee; (6) three State Representatives, appointed by the Assembly Speaker or the appointed Representative’s designee; (7) three State Senators, appointed by the Senate President or the appointed Senator’s designee; (8) two circuit court judges, appointed by the Governor; (9) two District Attorneys, appointed by the Governor; (10) two representatives of law enforcement agencies in Wisconsin, appointed by the Governor; (11) one sheriff, or his or her designee, appointed by the Governor; (12) one representative of a national organization that focuses on eliminating race-based discrimination, appointed by the Governor; (13) one representative of a nonprofit that focuses on issues relating to juvenile justice, appointed by the Governor; (14) one representative of a nonprofit that focuses on best practices for holding juveniles in secured custody, appointed by the Governor; (15) one representative of the county department of social services or human services (“county human services department”) in the county with the highest percentage of juveniles under the supervision of DOC or a county department under ch. 938, Stats., appointed by the Governor; (16) one representative of a county human services department of a county that operates a regional juvenile detention facility authorized to accept certain juvenile placements for more than 30 days, as appointed by the Governor; (17) one representative of a county human services department of a county other than those previously described, appointed by the Governor; and (18) one citizen who has been under DOC supervision under ch. 938, Stats., or has had a close family member under such supervision, appointed by the Governor.

The DOC and DCF Secretaries serve as co-chairpersons of the Study Committee, and agencies with membership on the committee must provide staff to conduct the functions of the committee.

### **Committee Recommendations**

The substitute amendment requires the Study Committee to research and develop recommendations regarding the following: (1) new Type 1 juvenile correctional facilities; (2) regional, county-based facilities for juveniles; (3) evidence-based services and programming for juveniles in secure custody; and (4) possible modifications to youth aids to facilitate other committee recommendations.

Specifically, the Study Committee must research and recommend the construction or establishment of one or more new Type 1 juvenile correctional facilities prior to the closure of Lincoln Hills, including optimal locations, availability and feasibility of using existing facilities, and the source and amount of funding for new or renovated facilities. The committee must also research and make recommendations about the feasibility of establishing multiple regional, county-based facilities for the placement of juveniles who would otherwise be placed in a Type 1 correctional facility. These recommendations must include the source and amount of funding for such facilities, the dispositions under which a juvenile could be placed in such facilities, whether DOC or the county should supervise juveniles placed in such facilities, and the procedures for transferring placement between such facilities and a Type 1 juvenile correctional facility. In developing its recommendations, the Study Committee must consult with one or more organizations that focus on developing best practices for holding juveniles in secure custody.

### **BILL HISTORY**

Senate Substitute Amendment 1 was introduced by the Senate Committee on Judiciary and Public Safety on March 14, 2018, on a vote of Ayes, 3; Noes, 2. The committee then adopted Senate Substitute Amendment 1 and passed Senate Bill 807, as amended, on votes of Ayes, 3; Noes, 2.

KBO:jal