



MICHAEL SCHRAA

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Testimony on AB 524

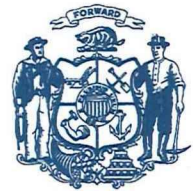
Fellow committee members, thank you for the opportunity to testify on Assembly Bill 524 to fund the Type 1 juvenile correctional facility in Milwaukee County. We have been working on this for a long time. Rep. Goyke, we worked together on the original bill back in February of 2018. After enactment of Act 185, it was with great optimism that we served in together, hammering out details in the Juvenile Corrections Planning Committee. Yet, here we are again, with no visible progress on implementing the "Wisconsin Model" of juvenile justice. It is past time to get this done.

The Type 1 juvenile facility is intended to hold Serious Juvenile Offenders in a secure facility that is conducive to rehabilitation. While DOC has been working to improve the programming at Lincoln Hills and Copper Lakes Schools, the physical facility simply is not designed for its current purpose.

\$4 million in bonding was allocated in the current budget to plan and design the new Type 1 facility for juveniles. The Building Commission met last week to release those funds so that the planning process can move forward. In 2018, the planning committee was presented with some general concepts of a campus that embodied a more enlightened approach to juvenile justice. The images we saw looked more like a school than a prison. The concept drawings had plenty of light, color, and texture, and yet was designed for security. It is high time to move forward with the plans and construction.

Originally, the 2017 budget allocated \$28,652,200 for the Type 1 facility, and this bill allocates an additional \$41,791,000 to complete the project.

It has been exceedingly frustrating to see this project be sidetracked in the early days of the change of administration and ongoing partisan squabbles. Still, it is gratifying that we are finally moving forward to provide our most troubled youth with a suitable facility with the best possibility of rehabilitation.



February 15, 2022

Chairman Schraa and Committee Members,

2017 Act 185 began the process of closing Lincoln Hills and Copper Lake juvenile prisons and adopting a new closer-to-home model of juvenile corrections in Wisconsin. That effort, passed unanimously by the Senate and Assembly and signed by former Governor Walker, is unfinished.

To accomplish the statewide transformation of juvenile corrections, a new network of facilities is necessary. I think of it as three legs of a stool – each equally necessary to support the needs of the statewide juvenile system.

Under the framework of 2017 Act 185, juvenile corrections in Wisconsin will be a shared task with three different systems: Secure Residential Care Centers for Youth (SRCCY's) operated by Counties; the Mendota Juvenile Treatment Center operated by DHS; and a "Type-1" correctional facility operated by DOC.

The Legislature has appropriated the necessary funding for the County projects and the Mendota Juvenile Treatment Center. Senate Bill 520 funds the final leg of the stool, by appropriating the necessary funds to build the DOC "Type-1" facility.

Under Assembly Bill 524, the DOC "Type-1" facility is to be located in Milwaukee County. The bill does not specify an exact address within Milwaukee County. Milwaukee County is named on purpose – to ensure the facility is close to the major population centers of the State, those communities that historically send more juveniles into the juvenile correctional system – and the same communities those kids return to following incarceration.

The policy choice to locate the facility closest to the communities most impacted matters. Right-sizing institutions matters. Strengthening the child's transition back into the community matters.

These are policy choices that impact treatment services, re-entry success, and connection to healthy support systems. All of these protective factors are essential for reducing recidivism and increasing public safety once the youth return to their communities.

The end of this effort is in sight. Assembly Bill 524 is the final step and the last leg of the stool. It's time to finish what we started.



WISCONSIN STATE ASSEMBLY

STATE REPRESENTATIVE
DAVID BOWEN

10TH DISTRICT

Assembly Bill 524
Public Testimony of Rep. David Bowen
February 15, 2022

Chairman Schraa and members of the Assembly Committee on Corrections,

Thank you for allowing me to submit my testimony for Assembly Bill 524 relating to a new correctional facility in Milwaukee County and granting bonding authority.

When 2017 Act 185 passed unanimously through both chambers and was signed into law, it signaled a promise to our youth, their families, and our communities that we would close the Lincoln Hills and Copper Lake youth prisons in favor of smaller, closer-to-home, trauma informed and evidence-based alternatives. As one of the leading authors of this effort, I saw the legislature come together to do what was right for the children and the staff at Lincoln Hills and Copper Lake, as well as the communities they come from, and we made a commitment to undergo the most significant juvenile justice reform in decades. It has been almost four years since Act 185 was enacted and, unfortunately, politics has gotten in the way from constructing the facilities necessary to close Lincoln Hills and Copper Lake.

This bill is a simple yet necessary step to achieving the ultimate goal of Act 185 by authorizing \$41,791,000 in general fund supported borrowing for the purpose of constructing a new Type 1 juvenile facility in Milwaukee County. To be absolutely clear, the Lincoln Hills and Copper Lake facilities cannot close until this state-run facility is built and this has been the case from the beginning that everyone who wants better outcomes can clearly see. It is imperative that we move without delay in advancing this bill through the legislature so that we can prioritize the outcomes of the children at Lincoln Hills and Copper Lake, and move our children away from these facilities for the sake of our youth, and the staff who work there.





MARY FELZKOWSKI

STATE SENATOR • 12TH SENATE DISTRICT

Testimony on Assembly Bill 524

Assembly Committee on Corrections

Senator Mary Felzkowski

12th Senate District

February 15th, 2022

Good morning Chairman Schraa and Committee Members,

Thank you for taking the time to hear testimony on Assembly Bill 524, which provides bonding authority for \$41 million for a new Type I juvenile correctional facility in Milwaukee County. I apologize I am unable to be there today to testify in person.

As you just heard from my co-author, Representative Schraa, the plans to close Lincoln Hills and Copper Lake Schools have been in motion for a while now. Two sessions ago, the Legislature unanimously passed 2017 Act 185, mandating the closure of Lincoln Hills and Copper Lakes Schools by July 1, 2021 – sending Serious Juvenile Offenders to a new Type 1 facility, and other youth to regional Secure Residential Care Centers for Children and Youth.

That date has come and gone, and we have yet to break ground on the first state Type 1 building. The biennial budget that was signed into law a couple months ago included \$4 million toward this project, to be used for project planning, development, design, and site selection. This bill fully funds the new Type 1 correctional facility needed at a cost of \$41,791,000.

Some background for those of you who were not around at the time of 2017 Act 185: Lincoln Hills and Copper Lake Schools are the state's primary facilities for juvenile offenders. The Legislature decided to act and pass a bill mandating the closures following a series of criminal probes and lawsuits, which clearly revealed that Lincoln Hills and Copper Lake were not being run appropriately, and created an inadequate and perilous environment for the youth in their care.

In addition to these issues, today's evidence-based practices show us that juveniles do best when incarcerated in small groups, close to their home environments, and with programming intended to help them re-integrate effectively into society. The current facilities do not fit these requirements, with Lincoln Hills and Copper Lake situated just south of Tomahawk in the heart of the Northwoods, on a sprawling campus built to serve a population of 500 inmates.

In the four years since the passage of 2017 Act 185, the environment at Lincoln Hills and Copper Lake has remained unstable. The pandemic only exacerbated the difficulties there, with programming pauses and staff turnover contributing to an explosion of violent activity in 2020. In a petition of no confidence against facility administrators, union employees expressed that in the last six months of 2020, compared to the first six months of the year: staff injury went up 4700%, youth/staff battery went up 117%, sexual misconduct went up 75%, and use of force incidences went up 58%. You will hear from staff who currently work at the facility shortly, and they can speak to their experiences.

It is far past time for this facility to close. The Legislature *must* do its part and approve the funding for the new Type 1 correctional facility, for the sake of the employees who work there, and the youth that have been placed in the care of the state.

Attached to my testimony, please find the Legislative Fiscal Bureau Memo on the available bonding for a Type 1 Juvenile Correctional Facility, and DOC's project request which includes a breakdown of costs for the budget motion for the new Type 1.

I would like to note that the Senate companion bill to this one, SB 520, will be receiving its' vote in the Senate Committee on Judiciary and Public Safety tomorrow.

I want to thank my group of co-authors: Senator Wanggaard, Senator Taylor, Representative Schraa, Representative Callahan, and Representative Goyke for their support.



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873
Email: fiscal.bureau@legis.wisconsin.gov • Website: <http://legis.wisconsin.gov/lfb>

June 28, 2021

TO: Senator Mary Felzkowski
Room 415 South, State Capitol

FROM: Angela Miller, Fiscal Analyst

SUBJECT: Bonding Authorizations Relating to a Type 1 Juvenile Correctional Facility

At your request, I am providing information relating to bonding authorizations for a Type 1 juvenile correctional facility. Under 2017 Act 185, \$25.0 million was enumerated for the facility, although no bonding was authorized for that purpose. As a result of item vetoes of 2019 Act 9 (the 2019-21 budget), \$25.0 million was authorized for "projects", of which \$3.0 million was earmarked for the Tribune building in Wisconsin Rapids. Subsequently, \$7.0 million was allocated for Secure Residential Care Centers for Children and Youth. On May 6, 2021, the Joint Committee on Finance approved a request under s. 13.10 of the statutes to utilize \$7.0 million of the "projects" bonding to expand the Mendota Juvenile Treatment Center. Based on bonding status reports prepared by the State Controller, it appears that \$8.0 million of "projects" bonding remains unallocated at this time, and may be available for this purpose.

As part of the 2021-23 budget deliberations, the Governor recommended enumerating \$45.8 million for a Type 1 facility. On June 8, the Committee adopted Motion 84, to instead provide \$4.0 million of general fund supported borrowing for project planning, development, design, site selection, and land and property acquisition associated with the facility enumerated under 2017 Act 185. The attachment shows the amount of associated bonding authorized in the 2019-21 biennium, as well as a comparison of amounts considered as part of the 2021-23 budget deliberations.

I hope that this information is helpful. Please contact me if you have questions.

AM/lb
Attachment

ATTACHMENT

**Project Enumerations and Bonding
Relating to a Type 1 Juvenile Correctional Facility
(\$ in Millions)**

2019-21 Biennium

Project Enumeration	\$25.0
Bonding Amounts "Projects" Bonding	25.0

2021-23 Biennium

	<u>Governor</u>	<u>Jt. Finance</u>
Project Enumeration		
Project Total*	\$45.8	\$29.0
Bonding Amounts		
New Bonding	45.8	4.0
Remaining "Projects" Bonding**	<u>0.0</u>	<u>8.0</u>
Total Bonding	\$45.8	\$12.0

*The Committee increased the 2017 Act 185 enumeration by \$4.0 million, while the Governor's recommendation would have enumerated a new project for juvenile correctional facilities.

** If the remaining "Projects" bonding would be allocated for this purpose.

MILWAUKEE COUNTY – JUVENILE CORRECTIONS FACILITY

DEPARTMENT OF CORRECTIONS
JUVENILE FACILITY
MILWAUKEE COUNTY
AGENCY PRIORITY #4

Request: \$45,791,000
GFSB
2021-2023

Recommendation: \$45,791,000
GFSB
2021-2023

PROJECT REQUEST:

The DOC requests enumeration of \$45,791,000 GFSB to construct a new Juvenile Corrections Facility in Milwaukee County.

GOVERNOR'S RECOMMENDATION:

Approve the request.

PROJECT DESCRIPTION:

This project will construct a new Juvenile Corrections Facility in Milwaukee County. Design elements are based on concepts developed as a result of the Division of Juvenile Corrections Prototype Study. The facility will be approximately 59,000 GSF and will provide housing, food services, health services, education, counseling, vocational training, visitation, recreation, administrative services, and other supporting spaces for a population up to 32 juveniles. The facility is estimated to employ approximately 70 DOC employees, including but not limited to: teachers, social workers, youth counselors, etc. The project will also include exterior improvements to provide parking, loading, recreation space, and security fencing.

PROJECT JUSTIFICATION:

Enacted in 2018, 2017 Wisconsin Act 185 required the Department of Corrections to establish one or more Juvenile Corrections Facilities no later than January 1, 2021, subject to the approval by the Joint Finance Committee. 2019 Wisconsin Act 8 subsequently delayed the establishment date to July 1, 2021. The facility in this request will assist DOC with working towards meeting the requirements of Act 185 and Act 8, which were created with the intent of eventually converting Lincoln Hills and Copper Lake Schools' buildings into adult facilities.

SBC OPTIONS:

1. Approve the recommendation to enumerate the project.
2. Deny the recommendation (defer the request).

PROPOSED SCHEDULE:

A/E Selection:	Mar 2019
Design Report:	Oct 2021
Bid Date:	Apr 2022
Start Construction:	Jun 2022
Substantial Completion:	Nov 2023
Final Completion:	Feb 2024

CAPITAL BUDGET REQUEST:

Construction:	\$34,410,000
Design:	\$2,409,000
DFD Fee:	\$1,514,000
Contingency:	\$3,441,000
Equipment:	\$3,441,000
Land Acquisition:	\$436,000
Other Fees:	\$140,000
TOTAL:	<u>\$45,791,000</u>

OPERATING BUDGET IMPACT: The projected start-up cost of one Juvenile Correctional Facility is \$874,000. The projected annual operating budget of a Juvenile Correctional Facility is \$7,744,000 and 74.00 FTE. The estimated annual cost of Repair and Maintenance is \$30,000. The estimated annual cost of Fuel and Maintenance is \$105,000.

The projected start-up administrative costs for Juvenile Correctional Facilities is \$8,300. The projected annual operating budget for administrative costs is \$2,087,500 with 15.00 FTE. Projected administrative costs will not fluctuate with an increase in the number of facilities.



Wisconsin Department of Corrections

Governor Tony Evers | Secretary Kevin A. Carr

Testimony in Support of SB520/AB524 Related to bonding authority for a new Type 1 youth facility
Assembly Committee on Corrections
Tuesday, February 15, 2022, 11:00 am
415 Northwest

Good morning Chairman Schraa and committee members. Thank you for the opportunity to testify in support of SB520/AB524 which approves the critical bonding authority necessary to proceed with the planning, design, and eventual construction of a new Type 1 Facility. I am, Paulina Gutiérrez, Legislative Advisor for the WI Department of Corrections (DOC).

Our administration has been committed to complying with the requirements of 2017 Act 185 since we began in 2019. I'd like to provide a brief history of our efforts.

In the 2019-2021 budget, Governor Evers proposed increasing the \$25 million appropriation to \$115 million for the construction of two new Type 1 Facilities. The Joint Committee on Finance (JCF) removed all bonding authority approved through Act 185 and did not approve the additional \$90 million for a second facility. This left \$0 dollars available for the construction of a new Type 1 facility.

In October 2019, the DOC completed the necessary work to finalize the plan for two new Type 1 facilities and requested approval of \$73 million for the construction of two new facilities. In February 2020, the JCF declined to authorize spending on our proposals. These two moves essentially halted our ability to complete any substantial planning and design.

Despite not being able to move forward with constructing a new Type 1, the DOC has continued to comply with the consent decree entered under the previous administration at Lincoln Hills/Copper Lake Schools and make marked improvements in the environment, security practices, and staff well-being.

The Governor once again proposed funding for a new Type 1 in his 2021-2023 budget. In advance of JCF voting on this proposal, we briefed Senate leadership on our plan to convert Felmers Chaney Correctional Center in the city of Milwaukee to a new Type 1 facility. We also did early outreach to key advocacy groups and local, county and state elected officials to outline our plan. JCF voted to remove the funding for a new Type 1. Instead, JCF approved \$4 million in bonding for design and planning of a new Type 1, which is not typically done for projects of this nature. Due to the way in which this limited funding was approved, the DOC must first seek approval from the State Building Commission (SBC), the traditional authority in capital projects, before we can expend those funds. I am happy to report that SBC approved our proposal for accessing a portion of the funds last week, which provides the necessary funding to continue to our planning and preparations for submission to the JCF as required by Act 185.

If the Legislature authorizes spending for the construction of a new Type 1 facility by passing SB520/AB524, the DOC would finally be able to complete the comprehensive tasks of officially siting the proposed location, continue our engagement with the local community, and finalize the design and

planning of the actual building. With that work done, as required by Act 185, we would then submit our site selection to the JCF for approval before proceeding to the SBC for release of the funds.

There is much work to be done and the key to moving forward with the vision that Act 185 defined, and the bipartisan support of the legislature hoped for, is for the legislature to act on approving SB520/AB524. This administration has always been and will continue to be focused on doing the right thing. Both parties agree that the right thing to do is close Lincoln Hills and get our kids closer to home.

Make no mistake, there are still many challenges and decisions ahead. The DOC is prepared and willing to address the expected local issues collaboratively. However, none of this hard work can occur without action from the legislature. We understand and appreciate that there are questions about how utilizing the Felmers Chaney site might impact other DOC operations. The Secretary and his leadership team have been actively engaged in conversations with local community advocates. In fact, DOC requested a meeting with these advocates in January of this year to listen to their concerns and discuss their ideas for an alternate site. Although we are moving forward with our plan based on what we know right now, we will continue to collaborate with advocates on this current location and any prospective locations they may offer that fits our needs. The advocates understand that if there is no other appropriate site to consider that we need to move forward in the best interest of the kids.

For the sake of our kids and doing what's right, we need to move the vision of Act 185 forward. We hope that both the Senate and Assembly will support this bill and move it forward to the Governor's desk for signature.

Thank you for your time and I am happy to answer any questions you have.

Testimony before State Assembly Corrections Comm., Tue., Feb. 15, 2022

By Rev. Joseph W. Ellwanger, MICAHA (Milwaukee Innercity Congregations Allied for Hope)

I am Joseph Ellwanger, a retired Evangelical Lutheran Church in America pastor and the Coordinator of the Prison Reform Task Force of MICAHA, an interfaith organization of 40 congregations dedicated to doing justice.

I am addressing AB 524, of course.

I heard Charlen Moore, Ex. Director of Urban Underground in Milwaukee and longtime youth advocate, say at the hearing on this bill before the Senate Committee last week that she “hopes that the State of Wisconsin, in closing Lincoln Hills and Copper Lake and building a youth detention center in Milwaukee gets it right this time.”

I don't know exactly what she meant by that, but I think she was saying that she hopes that the facility to be built in the Milwaukee area will not be an example of punitive justice that seeks primarily to punish, but will be a shining example of restorative justice, meeting the needs of each individual youth, aimed at restoring and developing the beautiful potential that each of them has been given,.

MICAH agrees with Charlen Moore that Lincoln Hills and Copper Lake need to be closed and the Milwaukee youth need to be brought back closer to home. We also share with her a deep hope that Wisconsin will get it right this time and that the program at the new facility will be a shining example of restorative justice.

MICAH also hopes that Wisconsin and the DOC will get the entire process of building this new youth facility right. It is no secret that the DOC is thinking very seriously, of closing the Chaney Center, a 100-bed pre-release center in the central city of Milwaukee, in order to build the youth detention center on that site.

This would be a tragic mistake. The Chaney Center is a shining example of restorative justice. It gives men about to be released from the system a chance to be restored to their community with the resources they need to succeed in their reentry—a job, housing, and positive connections with the community.

Closing an institution with a strong restorative justice program in order to build another institution with a restorative justice program would be a serious

owe it to the business people of Wisconsin who need workers. We owe it to the tax payers of Wisconsin. We owe it to our God. To do it right.. God help us to do it right.



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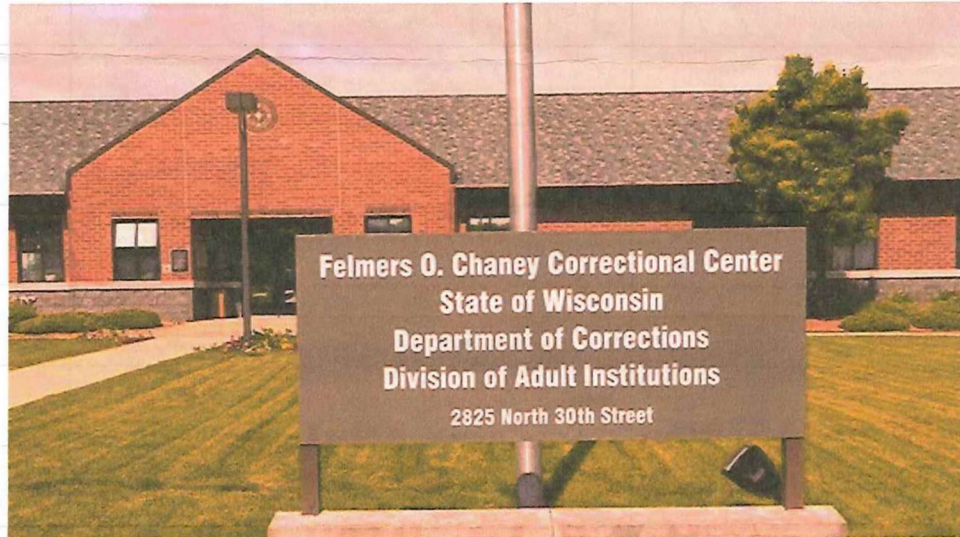
Dr. R. L. McNeely, Esq.
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(1918 - 2012)



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Save the Felmers O. Chaney Center! PETITION. PLEASE SIGN!



The Department of Corrections has suggested closing the Felmers O. Chaney Correctional Center and using that space to open a [type 1 youth facility](#) to finally deliver on the legislature's promise to close Lincoln Hills and Copper Lake Youth prisons. The Chaney Center has long been considered by men who resided there to offer the best support for a successful return to Milwaukee. We should not reduce the number of available pre-release beds in our community because we can't agree on a suitable location for a new youth facility. You can read more about this issue in the [Milwaukee Journal Sentinel](#) or in the [Neighborhood News Service](#). We can and must find another suitable location.
Signed,

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"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." -Margaret Mead

SAVE THE CHANEY CENTER PETITION PLEASE SIGN!

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Return signed petitions to Joseph Ellwanger, 1637 N. 16th St., Milwaukee, WI 53205

