

Safer Communities, Stronger Families



Creating a Community-based
Continuum of Services & Supports
for Milwaukee's Adjudicated Youth

Executive Summary

There is a growing consensus among juvenile justice leaders, elected officials, and the broader public that Milwaukee should no longer incarcerate its young people at the troubled Lincoln Hills/ Copper Lake youth prison and instead should expand local sentencing options in Milwaukee County. Youth Justice Milwaukee (YJM) believes that the crisis at Lincoln Hills/ Copper Lake provides a critical opportunity for Milwaukee County to create a fairer, safer, and rehabilitative juvenile justice system. Paramount to the following recommendations, YJM asks Milwaukee County to reject any calls to re-open Ethan Allen, Southern Oaks, or to repurpose any other institutional setting to serve as a youth prison for Milwaukee County youth.

What is needed more than resources to implement a successful plan is courage.

Decision-makers must validate and consider the experiences of the community and the extensive research that organized groups of experts in youth development have presented here. Failure to incorporate recommendations from the community will result in a plan that has significant limitations to success and, tragically, more victims.

In order to achieve this, Youth Justice Milwaukee recommends that Milwaukee County take the following steps:

- 1. Increase public safety by creating a continuum of community-based, non-residential services that will reduce reduce risk and reduce racial and ethnic disparities within the juvenile justice system:** 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.
- 2. End placement of adjudicated youth at Lincoln Hills/Copper Lake:** Identify and contract with small residential programs in Milwaukee with experience working with high-risk youth. Milwaukee youth housed at Lincoln Hills should be brought back home and safely treated in programs designed to work with youth with high risks and needs. No new money should be invested by Milwaukee County into Lincoln Hills/Copper Lake.

3. Increase meaningful engagement with families of youth in the system:

Recognize that families have special knowledge that can enhance the design of interventions and treatments. Parents typically have more contact with their children than any system professional, and they can share cultural knowledge that is critical to contextualizing interventions to make them effective.

4. Include community stakeholders in a data-driven, collaborative planning process to make juvenile justice services more transparent, accountable, and effective. Partner with members of impacted communities to create a continuum of services and supports that is responsive to the needs of young people, their families and communities.

Background

For years, the state of Wisconsin has failed to protect some of our most vulnerable youth while they are incarcerated at Lincoln Hills and Copper Lake youth prisons. While in the custody of the Wisconsin Department of Corrections, dozens of youth have been abused, injured, and sexually assaulted without so much as an investigation by the state. While other jurisdictions across the country are moving away from large, state-run youth prisons to community based, community driven solutions, Milwaukee County and Wisconsin have not. In fact, Lincoln Hills is the largest youth prison in the country.

Research has provided critical insight into the harmful effects of youth incarceration. Not only is reliance on youth incarceration counterproductive in promoting public safety, it poses irreparable psychological and social damage to adolescent growth and development. There is clear evidence that a system focused on rehabilitation and prevention yields far better results in diverting youth from the juvenile justice system; decreasing recidivism rates; and ensuring that those currently in the system have an opportunity to reunite with their families, re-enter their communities and develop into productive citizens.

Responsibility for providing juvenile programs and services should be in the hands of the county where youth live. Milwaukee County should follow the lead of such places as Wayne County, Michigan and New York City to bring youth home from the state run youth prison and fund placements and programs in their communities.

A key reason for Milwaukee County to undertake comprehensive juvenile justice reform is to tackle the persistent racial and ethnic inequities in Wisconsin's juvenile justice system. Although these disparities have been declining over the past decade, Wisconsin still ranks in the top five least equitable states, with disparities that far exceed the national average. The vast majority of youth committed to Wisconsin state facilities are African American. In 2014, African American youth made up almost 70% of youth committed to juvenile correctional facilities in the state, but only about 10% of Wisconsin's total youth population.

There is growing national consensus that the youth prison model fails to protect public safety. A national survey of recidivism data found that 70 to 80 percent of youth released from juvenile correctional facilities are re-arrested within three years, and in several states nearly three-quarters of released youth receive new adjudications or convictions within three years.¹

Despite such poor outcomes, Wisconsin's juvenile justice system cost a total of \$162,800,000, including \$30 million for the operation of the state's juvenile correctional facilities and \$88.6 million that is provided to counties through the youth aids program. In 2013, the cost to incarcerate one youth at Lincoln Hills/Copper Lake surpassed \$100,000.

At the same time, admissions to state-operated placement facilities fell by 71% between 1999 and 2013, and between 2010 and 2014, the average daily population of state secure placement facilities declined 25%. Yet, too many Milwaukee youth are sent to Lincoln Hills and fail to receive the rehabilitative services necessary to go back to their communities successfully.

Youth Justice Milwaukee

Youth Justice Milwaukee (YJM), was formed in 2016 to address the current crisis with youth prisons in Wisconsin. YJM seeks to learn from and incorporate models and approaches from other jurisdictions and states that have closed youth prisons and replaced them with better and more cost-effective, continuums of services for adjudicated youth. YJM is a collective voice of persons who were incarcerated as youth, families of those who were or are currently incarcerated as youth, local advocates for youth, and national experts on youth justice.

The Youth Justice Milwaukee principles

1. We will center young people and families in our advocacy for transforming the juvenile justice system.
2. We will only achieve true public safety when we promote everyone's well-being and when young people have the opportunity to heal and thrive.
3. We believe in trauma-informed, restorative, community-centered approaches that use the least restrictive environments available.
4. We believe in keeping families together and building solutions with the entire family.
5. We do not write off or give up on youth – young people deserve unconditional love.
6. We believe that we should treat youth and families with the utmost dignity and respect.
7. We will be culturally sensitive, humble, and seek to eliminate racial and ethnic bias.
8. To achieve racial equity, we have to transform the way the justice system treats youth of color from their first interaction with a police officer and in every part of the system.
9. To achieve real and lasting change, we should not only seek to move people in positions of power, but also to build power in our communities.
10. We will root our work within the larger social, historical and political context and work to make sure the community sees these larger systems.

Recommendation #1

Increase public safety by creating a continuum of community-based, non-residential services that will reduce reduce risk and reduce racial and ethnic disparities within the juvenile justice system.

A Continuum of Care

A comprehensive continuum of care will enhance community safety and reduce youth crime and recidivism by addressing young people’s needs and risks, and by building on their strengths and connections in areas including: family, housing, education, vocational training, employment, emotional health, medical, substance abuse, legal, finances, recreation, culture, and spirituality. A key goal of a locally-operated system must be to eliminate the glaring racial and ethnic disparities within the County’s juvenile justice and seek to ensure all youth regardless of race or economic status have access to the opportunities and supports they need to be successful.

The Wraparound Milwaukee network provides an incredibly robust framework for this continuum of care. In addition, Milwaukee County should also consider building on other existing community programs in Milwaukee as well as looking to additional models that have worked in other states with similar populations of court-involved youth. Milwaukee County is a generation behind the curve in juvenile justice best practices compared to other similar counties in other states, specifically Wayne County (Detroit), Michigan; Lucas County (Toledo), Ohio; and Harris County (Pittsburg), Pennsylvania.

Effective Community Partnerships

To create an effective continuum of care, juvenile justice leaders should expand partnerships with community organizations working with youth and families in the Milwaukee neighborhoods most impacted by youth crime and incarceration. Community organizations should play a role in providing supports, mentoring and supervision at every stage of the juvenile justice system – and help provide effective alternatives to arrest, detention and incarceration.

At the front end of the system, local leaders should seek to expand community-based programs in schools and communities that divert youth from arrest and connect them with positive youth development, education and employment opportunities. Prevention-based interventions are much more effective in reducing risk factors than incarceration or detention, or even court-sanctioned supervision of youth. A general framework for these types of activities builds pro-social assets on four levels: personal, interpersonal, community, and system.

- * **Personal:** Rites of passage, leadership, civic engagement, and employment
- * **Interpersonal:** Family, companions/friends
- * **Community:** Neighbors, law enforcement relations
- * **System:** Housing, safety, violence prevention, and education

In addition, the County should seek to partner with community organizations to provide individualized support, mentoring, counseling and supervision to adjudicated youth and to offer additional non-residential alternatives to incarceration. In addition to Wraparound Milwaukee, the County has developed important partnerships with other community organizations that provide critically needed services. The County should consider how to potentially ramp up these programs to serve a greater number of youth who would otherwise face placement in a residential program.

In addition to the organizations that currently work with system-involved youth, the County should seek to engage smaller, more neighborhood-based organizations that work with young people and their families in the communities where they live. Beginning immediately, Milwaukee County and the City of Milwaukee must drastically increase resources to community organizations that have legitimacy in the eyes of young people, communities, and families. Such county resources should not impose funding requirements that will overburden these typically small organizations or provide adequate support to meet these requirements. Requests for proposals should incentivize, and even require, coordination with smaller, community-based organizations by larger organizations that have greater capacity to submit proposals.

As the County assumes responsibility for providing aftercare, we urge the County to partner with community organizations to provide services and supports for youth coming home from Lincoln Hills and Copper Lake. The County should also consider implementing “credible-messenger” mentoring programs, which

recruit and train men and women who have been involved in the justice system to build structured and intentional relationships with adjudicated youth. Because the mentors come from the same communities as the youth and have overcome similar challenges, they are able to build trusting relationships with their mentees and help them negotiate challenges and pursue positive activities.

Examine the Use of GPS Monitoring

Moreover, Milwaukee County must examine its use of GPS monitoring of youth and determine whether funding could be better spent in other points in a continuum of services. Although there is a widely held belief that electronic monitoring is cost effective, there are other approaches that keep young people at home and lower incarceration while simultaneously connecting youth with positive relationships and providing them with skills and tools they need to avoid further trouble with the law. Although the County has proposed further expanding the use of GPS monitoring, there has not been a study of the effectiveness of this practice in Milwaukee County. Oftentimes, youth are placed on electronic monitoring and go deeper into the system—including incarceration-- because of technical violations due to the electronic device. This approach is not rehabilitative and does not further public safety. Youth are violated for a range of behavior, including failing to charge the electronic monitoring device, unauthorized movement outside of their house, missing curfew, skipping class, failing to attend court-ordered counseling, and not obeying parents. These types of violations should not push youth deeper into the juvenile justice system.

Funding the Continuum

Funding for such a robust continuum of care can come from the money previously spent by the county to send youth to Lincoln Hills/Copper Lake and available federal funding. The state must investigate how it can maximize federal dollars through all options including reimbursement. Once youth are incarcerated, they are not eligible for Medicaid or Title IV-E reimbursement dollars. Moving to have fewer kids in secure care means that there are many doors open for potential federal funds to be used for these youth, including youth employment programming through the Workforce Investment Act. The County should also devote existing federal formula grant funding, such as the Byrne/JAG grant funds and the Juvenile Justice & Delinquency Prevention Act (JJDP) funds, and explore the potential of applying for other federal funding streams to fund the initial start-up costs for creating or expanding community programs.

Recommendation #2

End placement of adjudicated youth at Lincoln Hills/Copper Lake.

The Wisconsin Department of Corrections is not equipped to work with youth and not designed to address the individual needs of youth. Thus, in order to obtain the most effective services for youth, Milwaukee County should work toward a realignment and investment similar to the process achieved in Wayne County, Michigan. Additionally, Milwaukee County should draft Requests for Proposals (RFPs) that support culturally-competent, community-based, family-centered, restorative programs for youth with varying levels of risk and need.

Small Therapeutic Residential Programs

Research clearly demonstrates that in-home placements with targeted treatment are most effective to reduce both risk and recidivism. For out-of-home placements of youth, the consensus is that smaller is better. Milwaukee County should create small, community-based, therapeutic residential programs for youth who cannot remain in the community. These facilities should be in scattered sites; preferably, only one home in a given residential neighborhood. Group and treatment-based homes should be placements for up to 20 youth. It is highly advisable that only some, not all, of the homes be locked and/or secured, as the youth should be placed in the least restrictive environment possible. Before placement, youth should be evaluated with a structured decision making tool that diverts all but the highest risk individuals from secure placement – as is currently done in New York and Wayne County, Michigan, for example.

Culturally Competent and Highly Trained Staff

In addition to small size, another component of effective residential programs is the presence of culturally competent and highly trained staff. The County should ensure that the majority of the staff who work County-operated or contracted residential programs reflect the race and ethnicity of the youth who will be placed in these facilities. In addition, the programs must provide culturally-informed training for all staff and ensure that staff exhibit core competencies in working with youth. The County should require that all residential programs hire highly qualified staff and provide intensive training and ongoing coaching in adolescent development, trauma informed care, restorative justice and de-escalation

techniques.

Access to Quality Education

Youth in residential programs must have access the same education and learning opportunities to youth outside the juvenile justice system. Creating small, local residential programs presents the opportunity for Milwaukee to enhance the educational experience for placed youth. Educational liaisons should communicate with a youth's community school to ensure a seamless transition as a youth enter or leaves a residential program.

Community Partnerships and Oversight

All residential placements in the County should partner with outside community organizations to provide programing for youth in the facilities and ongoing support for youth upon release. These partnerships can help community organizations build and maintain consistent prosocial relationships with the young people and their families in the communities in which they live. The County should also create a community advisory board so that community members can regularly visit youth in residential programs and provide ongoing support to the facilities to enhance services and connections with community organizations.

Recommendation #3

Increase meaningful engagement with families of youth in the system.

Rather than excluding families, juvenile justice stakeholder should seek to engage families as their children move through the system. The evidence for making the justice system more responsive to the needs of families draws upon research from a variety of disciplines, including early childhood development, education, mental health, physical health, child welfare, and juvenile justice. Leading experts in the family engagement movement offer three primary reasons why involving families makes a difference in addressing the treatment needs of children.

First, parents have special knowledge that can enhance the design of interventions and treatments. Parents typically have more contact with their children than any system professional, and they can share cultural knowledge

that is critical to contextualizing interventions to make them effective. In other words, families know what is likely to work best with their children and which approaches probably won't.

Second, parents can promote healthy development, can prevent problems from developing or exacerbating, and can implement effective treatment protocols and educational interventions. When families are involved, they can monitor what is happening with their children, keep youth on track, and inform system professionals when things aren't working out as expected.

Third, research demonstrates that outcomes improve when family and youth are active participants in their own treatment, particularly when youth and families are given leadership roles in making treatment decisions.

And Milwaukee families agree. During a recent family listening session, YJM heard from over a dozen family members to discuss what they believe would make a strong juvenile justice system. Overwhelmingly, families felt unheard throughout the entire process and felt like they could play a more active role in ensuring their child received appropriate treatment. All families agreed that the current system of incarceration and probation is not set up for success nor provides appropriate support once back in the community. Many families desired to have stronger connections for their young one once back in the community and agreed that community based services could do more to ensure true rehabilitation than the current system.

Recommendation #4

Include community stakeholders in a data-driven, collaborative planning process to make juvenile justice services more transparent, accountable, and effective.

Collaborative Planning

To plan and create comprehensive continuum, juvenile justice leaders should create a collaborative planning group that involves both system and community stakeholders. The County can model this group after its current Juvenile Detention Alternatives Initiative (JDAI) committee, which utilizes a data-driven collaborative process to develop strategies to reduce the use of pre-trial juvenile

detention. However, if the County is to develop an effective continuum for youth in the “deep-end” of the system, it should create a separate planning collaborative that includes greater participation of community stakeholders – including impacted families, young people and community organizations. The community stakeholders bring an important perspective and expertise to the table that will be critical in planning and implementing and sustaining an effective continuum of services. Thus, we urge Milwaukee County to invite YJM and other organized community groups dedicated to working on youth justice issues to participate in all system stakeholder meetings at which decisions are made or influenced.

In addition, the planning group should include other local government agencies — such as mental health, behavioral health or managed care, education, child welfare, substance abuse, health, Housing Authority, Workforce development. In addition to the work these agencies already do to help young people, they should also be asked to adapt the services they provide to also meet the unique needs of justice-involved youth, who may otherwise be excluded from more traditional services. One way to work towards this goal of serving all young people would be for various agencies to develop programs that have the capability to individualize their services.

Data Sharing and Public Forums

To ensure transparency, Milwaukee County must improve access to juvenile justice data and reports. Given the glaring racial disparities at every stage of the Milwaukee’s juvenile justice system, County should regularly collect, analyze and publicly disseminate juvenile justice data disaggregated by race, ethnicity, gender, and geography. Sharing racial disparity data with community stakeholders is a means not only to greater accountability but also to drawing on the expertise of community groups to collaboratively develop solutions.

To this end, the County should hold face-to-face forums to hear public input and respond to questions. There should be high-quality child care provided during these forums. Notes and agendas of committee meetings of the county board and other official forums in which decisions are made should be much more easily attainable by members of the public. Members of the public should always be allowed to make comments following updates by government officials and meeting agendas should be published with more advance.

In addition, court officers and administrative court staff, law enforcement officers, assistant district attorneys, assistant public defenders, and all private and public providers of services to youth involved in the system, should meet

semi-annually with families and youth who were formerly incarcerated beyond the courtroom for a reflection and discussion. The County should compensate these families for their time, just as they will be compensated to participate in such discussions.

1.) Annie Casey Foundation, No Place for Kids: The Case for Reducing Juvenile Incarceration, 2011. Available online at:
<http://www.aecf.org/m/resourcedoc/aecf-NoPlaceForKidsFullReport-2011.pdf>



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The Milwaukee Art Museum High School Internships are held in partnership with RedLine Milwaukee and are supported by the Milwaukee Public Schools Partnership for the Arts & Humanities, the Greater Milwaukee Foundation's Mary L. Nohl Fund, the Wisconsin Arts Board, the Helen Bader Foundation, Northwestern Mutual, and SC Johnson.

