

ENROLLED ORDINANCE 166-122

REAUTHORIZE THE USE OF THE SECURE AND NON-SECURE  
DETENTION FACILITIES FOR SHORT TERM DETENTION

WHEREAS Chapter 938 of the State Statutes is designed to hold juveniles accountable for their violations of juvenile court orders, imposes direct accountability, and

WHEREAS the use of the non-secure and secure detention facilities in Waukesha County to detain juveniles for up to 72 hours without a hearing, as a consequence of violating terms of a dispositional order, furthers the philosophical preamble of Chapter 938 which holds juveniles accountable for their actions, and

WHEREAS in Enrolled Ordinances 158-129, 159-107, 161-9, 163-6, and 164-100, the County Board of Supervisors authorized use of the non-secure and secure detention facilities in Waukesha County for Waukesha County Department of Health and Human Services to detain juveniles for up to 72 hours without a hearing, as a consequence for violating terms of a dispositional order, and

WHEREAS the availability of the 72-hour hold has been a potentially useful option in the Department's array of services designed to hold juveniles accountable, and

WHEREAS, because Enrolled Ordinance 164-100 has a sunset clause effective until June 30, 2012, the Department of Health and Human Services is requesting that this option continue beyond June 30, 2012.

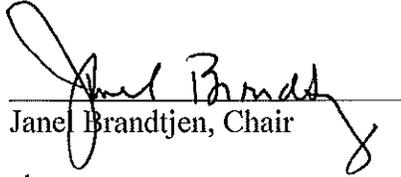
THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Circuit Court of Waukesha County, Juvenile Division, and the Waukesha County Department of Health and Human Services are hereby authorized, using their established decision making procedures, to continue to use the Waukesha County non-secure and secure detention facilities for up to 72-hours without a hearing to detain juveniles adjudged delinquent and who also violate terms of a dispositional order.

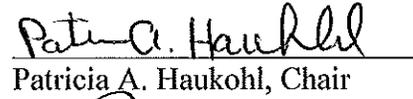
BE IT FURTHER ORDAINED that the authorization to utilize the secure and non-secure detention facilities for the above purpose will remain in effect until June 30, 2014, and if not renewed, will cease thereafter.

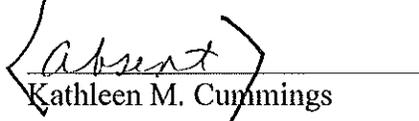
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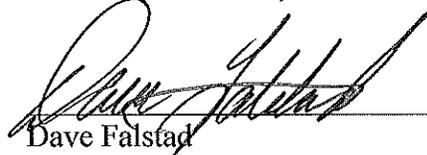
Presented by:  
Health and Human Services Committee

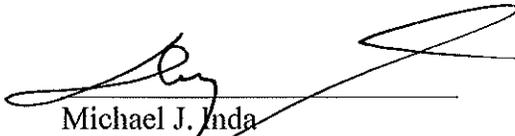
Approved by:  
Finance Committee

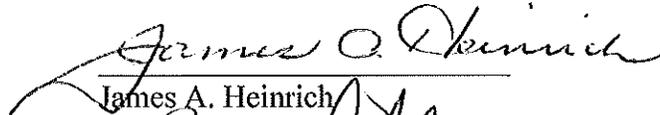
  
Janel Brandtjen, Chair

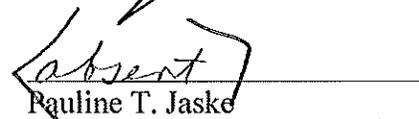
  
Patricia A. Haukohl, Chair

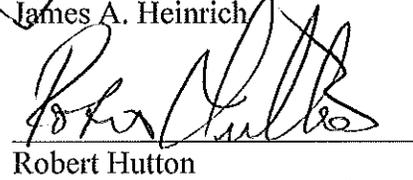
  
Kathleen M. Cummings

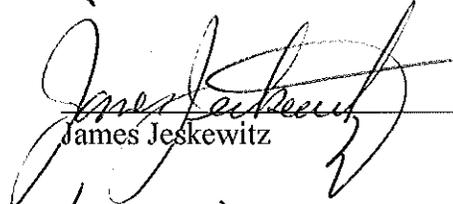
  
Dave Falstad

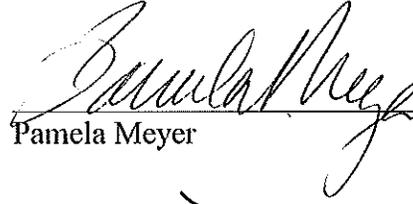
  
Michael J. Jnda

  
James A. Heinrich

  
Pauline T. Jaske

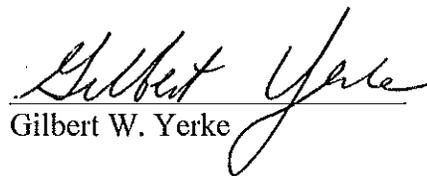
  
Robert Hutton

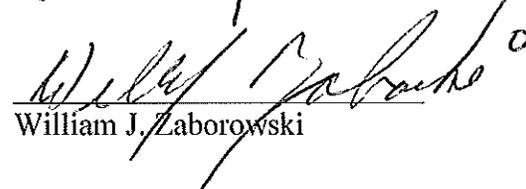
  
James Jeskewitz

  
Pamela Meyer

  
Peter M. Wolff

  
Ted Rolfs

  
Gilbert W. Yerke

  
William J. Zaborowski

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 4/13/12,   
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: x  
Vetoed: \_\_\_\_\_

Date: 4-18-12,   
Daniel P. Vrakas, County Executive

FISCAL NOTE

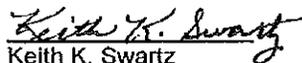
REAUTHORIZE THE USE OF THE SECURE AND NON-SECURE DETENTION FACILITIES  
FOR SHORT TERM DETENTION

This ordinance reauthorizes the Juvenile Court of Waukesha County, Juvenile Division and the Department of Health and Human Services (H&HS) to continue use of a 72-hour hold option at the Juvenile Center to detain youth adjudged delinquent without the need for an additional court hearing. The 72-hour hold is limited to being used as a consequence of violating terms of a dispositional order.

The use of the 72 hour hold was originally authorized through enrolled ordinance 158-29 in 2004 with a sunset provision and has been reauthorized for consecutive two year periods through June 30, 2012. This ordinance reauthorizes the 72 hour hold option and continues the sunset provision for an additional 24 months to June 30, 2014.

Placements in the Juvenile Center under the 72-hour hold provision have been funded within the existing (HHS) Juvenile Center program budget. The concern that this policy may result in overcrowding at the Juvenile Center facility has not been experienced in the last two years. The Adolescent & Family Services Division Manager indicates that, in the last two years, the 72 hour hold option was used only 1 time for 3 days in 2010 and 5 times for 12 days in 2011, which were all in the male secure detention unit. H&HS management indicates that, to date, the 72 hour hold option has never been used to hold juveniles in non-secure shelter care.

H&HS management anticipates that a low amount of estimated costs associated with this 72 hour hold policy will continue to be budgeted for and absorbed within the department's existing and future prioritized budget appropriations for this purpose.

  
Keith K. Swartz  
Budget Manager  
3/16/2012

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-04/10/12

(ORD) NUMBER-1660122

1 D. FALSTAD.....AYE  
 3 R. HUTTON.....AYE  
 5 J. JESKEWITZ.....AYE  
 7 P. HAUKOHL.....AYE  
 9 J. HEINRICH.....AYE  
 11 F. RUF.....AYE  
 13 P. DECKER.....AYE  
 15 P. MEYERS.....AYE  
 17 J. TORTOMASI.....AYE  
 19 S. WIMMER.....AYE  
 21 W. ZABOROWSKI.....AYE  
 23 D. DRAEGER.....AYE  
 25 G. YERKE.....AYE

2 T. ROLFS.....  
 4 J. DWYER.....AYE  
 6 J. BRANDTJEN.....AYE  
 8 T. SCHELLINGER....AYE  
 10 D. SWAN.....AYE  
 12 P. WOLFF.....AYE  
 14 M. INDA.....AYE  
 16 D. PAULSON.....  
 18 K. CUMMINGS.....AYE  
 20 P. JASKE.....AYE  
 22 P. GUNDRUM.....  
 24 W. KOLB.....AYE

TOTAL AYES-22

TOTAL NAYS-00

CARRIED X

DEFEATED \_\_\_\_\_

UNANIMOUS X

TOTAL VOTES-22