

ENROLLED ORDINANCE 170-110

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 available to 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, 164-100, 166-122 and 169-019, the County Board of Supervisors authorized use of the non-secure and secure detention facilities available to 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 169-019 has a sunset clause effective until June 30, 2016, the Department of Health and Human Services is requesting that this option continue beyond June 30, 2016.

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 secure and non-secure detention facilities available to Waukesha County 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, 2018, and if not renewed, will cease thereafter.

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 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 72-hour hold option was originally authorized through enrolled ordinance 158-0-129 in 2004 which included a sunset provision and has been reauthorized for consecutive two year periods through June 30, 2016. This ordinance reauthorizes the 72-hour hold option and continues the sunset provision for an additional 24 months to June 30, 2018.

Placements under the 72-hour hold provision have been funded within the existing (HHS) Juvenile Center program budget. HHS management indicates that, in the last two years, the 72-hour hold option was used 4 times for 12 days in 2014 and 5 times for 18 days in 2015 for Waukesha County youth, which were in secure detention.

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.



Linda G. Witkowski
Budget Manager
03/22/16

CD

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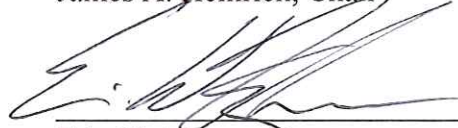
Presented by:
Health and Human Services Committee

Approved by:
Finance Committee

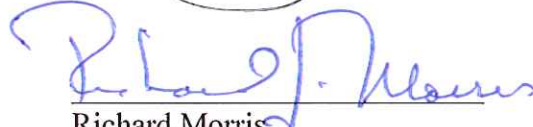

Gilbert W. Yerke, Chair


James A. Heinrich, Chair

absent
Janel Brandtjen

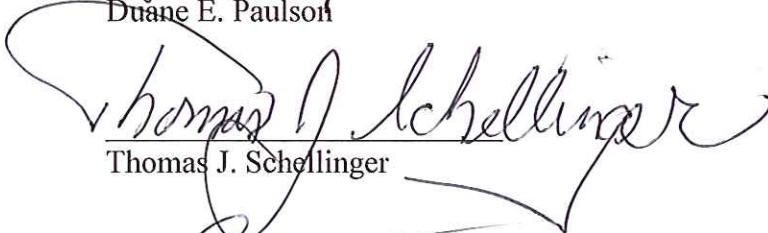

Eric Highum

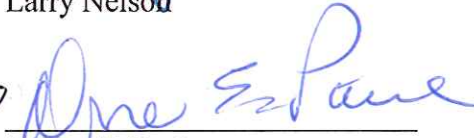

Christine M. Howard

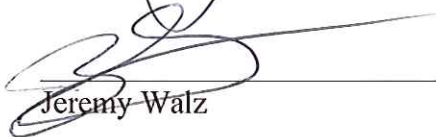

Richard Morris


Duane E. Paulson

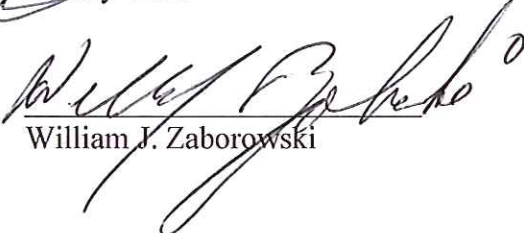

Larry Nelson

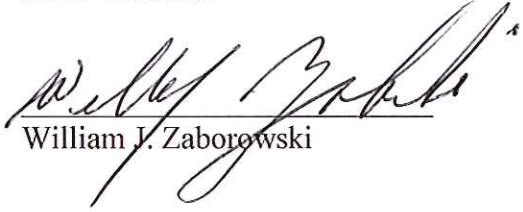

Thomas J. Schellinger


Duane E. Paulson



Jeremy Walz


Steve Whittow


William J. Zaborowski


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

Date: 4/12/16, 
Kathleen Novack, County Clerk

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

Approved: X
Vetoed: _____

Date: 4/14/16, 
Paul Farrow, County Executive

V

DATE-04/12/16

(ORD) NUMBER-1700112

1 R. KOLB.....AYE
 3 R. MORRIS.....AYE
 5 J. BRANDTJEN.....AYE
 7 J. GRANT.....AYE
 9 J. HEINRICH.....AYE
 11 C. HOWARD.....AYE
 13 P. DECKER.....AYE
 15 B. MITCHELL.....AYE
 17 D. PAULSON.....AYE
 19 K. CUMMINGS.....AYE
 21 W. ZABOROWSKI.....AYE
 23 K. HAMMITT.....
 25 G. YERKE.....AYE

2 D. Zimmermann.....AYE
 4 J. BATZKO.....AYE
 6 J. WALZ.....AYE
 8 E. HIGHUM.....AYE
 10 D. SWAN.....AYE
 12 P. WOLFF.....AYE
 14 C. PETTIS.....AYE
 16 M. CROWLEY.....AYE
 18 L. NELSON.....AYE
 20 T. SCHELLINGER....AYE
 22 P. JASKE.....AYE
 24 S. WHITTOW.....AYE

TOTAL AYES-24

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-24