

ENROLLED ORDINANCE 169-19

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

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

WHEREAS, the use of the secure and nonsecure 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 Ordinance 166-O-122, the County Board of Supervisors authorized use of the secure and nonsecure detention facilities available to the 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 166-O-122 has a sunset clause effective until June 30, 2014, the Department of Health and Human Services is requesting that the option of using secure and nonsecure detention for juveniles continue beyond June 30, 2014.

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 the use of non-secure and 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 juveniles will remain in effect until June 30, 2016, 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 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 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, 2014. This ordinance reauthorizes the 72-hour hold option and continues the sunset provision for an additional 24 months to June 30, 2016.

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. HHS management indicates that, in the last two years, the 72-hour hold option was only applied in secure detention 10 times for 27 days in 2012 and 7 times for 17 days in 2013 for Waukesha County youth. All were males with the exception of one female held at Washington County in 2012 for two days in 2012.

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



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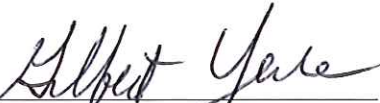
Linda G. Witkowski  
Budget Manager

CD  
05/06/14


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

Presented by:  
Health and Human Services Committee

Approved by:  
Finance Committee


  
Gilbert W. Yerke, Chair

  
James A. Heinrich, Chair

  
Janel Brandtjen

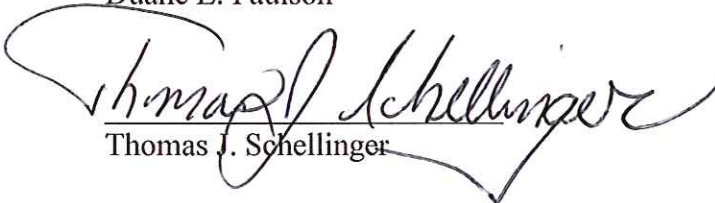
  
Eric Highum

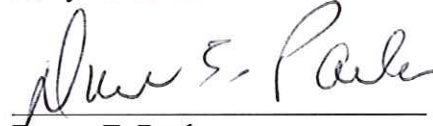
  
Christine M. Howard

  
Richard Morris

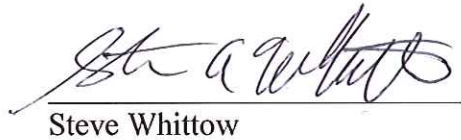
  
Duane E. Paulson

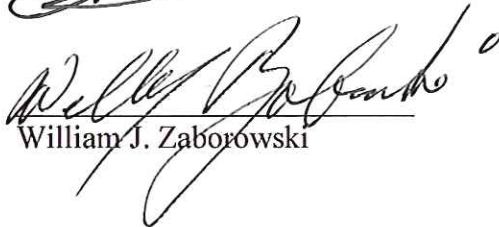
  
Larry Nelson

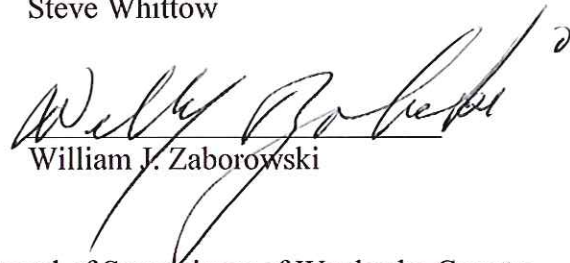
  
Thomas J. Schellinger

  
Duane E. Paulson

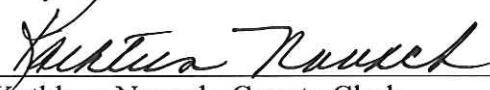
  
Jeremy Walz

  
Steve Whittow

  
William J. Zaborowski

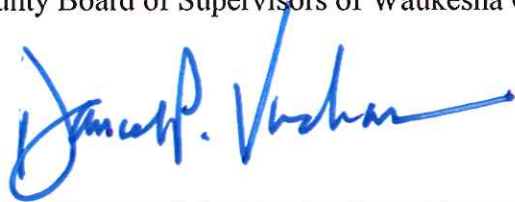
  
William J. Zaborowski

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

Date: 5/27/2014,   
Kathleen Novack, County Clerk

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

Approved: X  
Vetoed: \_\_\_\_\_



Date: 6-2-14, \_\_\_\_\_  
Daniel P. Vrakas, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-05/27/14 (ORD) NUMBER-1690018

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|--------------------------|---------------------------|
| 1 R. KOLB.....AYE        | 2 D. Zimmermann.....AYE   |
| 3 R. MORRIS.....AYE      | 4 J. BATZKO.....AYE       |
| 5 J. BRANDTJEN.....AYE   | 6 J. WALZ.....AYE         |
| 7 J. GRANT.....AYE       | 8 E. HIGHUM.....AYE       |
| 9 J. HEINRICH.....AYE    | 10 D. SWAN.....AYE        |
| 11 C. HOWARD.....AYE     | 12 P. WOLFF.....AYE       |
| 13 P. DECKER.....AYE     | 14 C. PETTIS.....AYE      |
| 15 W. KOLB.....AYE       | 16 M. CROWLEY.....AYE     |
| 17 D. PAULSON.....AYE    | 18 L. NELSON.....AYE      |
| 19 K. CUMMINGS.....AYE   | 20 T. SCHELLINGER.....AYE |
| 21 W. ZABOROWSKI.....AYE | 22 P. JASKE.....AYE       |
| 23 K. HAMMITT.....AYE    | 24 S. WHITTOW.....AYE     |
| 25 G. YERKE.....AYE      |                           |

TOTAL AYES-25

TOTAL NAYS-00

CARRIED \_\_\_\_\_

DEFEATED \_\_\_\_\_

UNANIMOUS X

TOTAL VOTES-25