

ENROLLED ORDINANCE 164-100

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 and 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 2004, by Enrolled Ordinance 158-129, 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 in 2005, 2006 and 2008, by Enrolled Ordinances 159-107, 161-9, 163-6, respectively, the County Board of Supervisors re-authorized use of the non-secure and secure detention facilities 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 163-6 has a sunset clause of June 30, 2010, another extension is requested by the Department of Health and Human Services to allow use of the non-secure and secure detention facilities to detain juveniles for up to 72 hours without a hearing.

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.

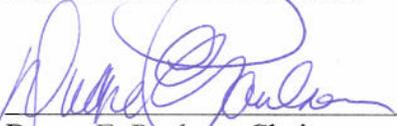
BE IT FURTHER ORDAINED that the authorization to utilize the secure and non-secure detention facilities for the above purpose will remain in effect until June 30, 2012, and if not renewed, will cease thereafter.

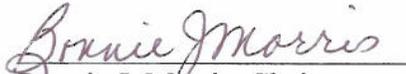
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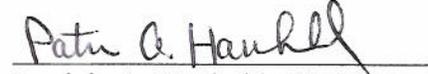
Presented by: Health &
Human Services Committee

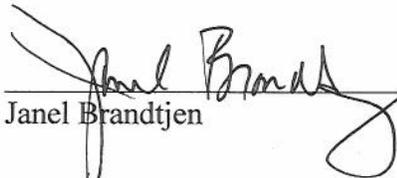
Approved by: Judiciary &
Law Enforcement Committee

Approved by:
Finance Committee


Duane E. Paulson, Chair


Bonnie J. Morris, Chair

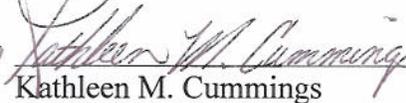

Patricia A. Haukohl, Chair


Janel Brandtjen


Paul L. Decker


James A. Heinrich

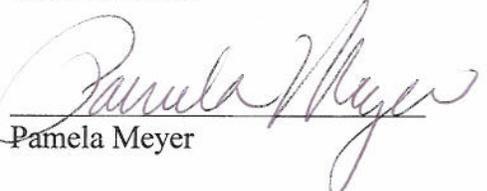

Kathleen M. Cummings

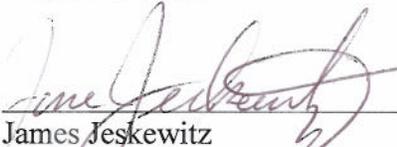

Kathleen M. Cummings

absent
Robert Hutton

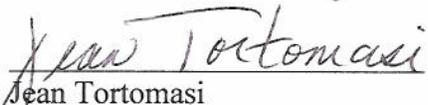
< ABSENT >
Pauline T. Jaske


Dave Falstad


Pamela Meyer


James Jeskewitz

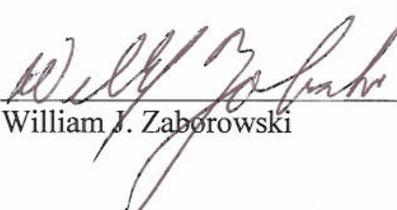
< ABSENT >
John J. Pledl


Jean Tortomasi

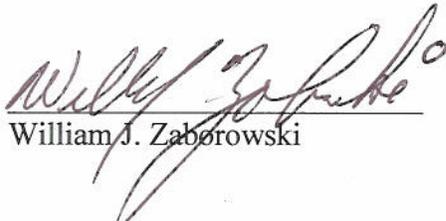
< ABSENT >
Gilbert W. Yerke


Jean Tortomasi

absent
Steven C. Wimmer


William J. Zaborowski


Peter M. Wolff

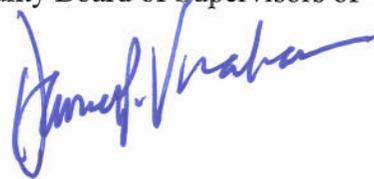

William J. Zaborowski

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

Date: 3/30/2010, 
Kathy Nickolaus, County Clerk

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

Approved: X
Vetoed: _____

Date: 3-30-10, 
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 (HHS) 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 requiring reauthorization one year following adoption. The 72-hour hold was reauthorized for three additional consecutive periods and is scheduled to end on June 30, 2010. Department management is requesting to continue the 72 hour hold option as it provides an additional tool for immediate consequences for juvenile offenders who violate the terms of their dispositional orders.

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 would result in overcrowding at the Juvenile Center facility has not been experienced in the last two years. HHS management indicates that the 72 hour hold option was used only 5 times for 15 days in 2008 and only 8 times for 24 days in 2009. The estimated cost impacts of those additional days was nearly \$7,000 in 2008 and \$13,000 in 2009. The department management anticipates that the 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.

This ordinance reauthorizes the 72-hour hold option and continues the sunset provision for an additional 24 months to June 30, 2012.



Keith K. Swartz
Budget Manager

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-03/23/10

(ORD) NUMBER-1640103

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.....
 17 J. TORTOMASI.....AYE
 19 S. WIMMER.....AYE
 21 W. ZABOROWSKI.....AYE
 23 J. PLEDL.....AYE
 25 G. YERKE.....AYE

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

TOTAL AYES-21

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-21