

ENROLLED ORDINANCE 181-09

AUTHORIZE THE USE OF A JUVENILE DETENTION FACILITY FOR DISPOSITION
AND SHORT-TERM DETENTION

WHEREAS, Wis. Stat. ch. 938 states that the intent of the Juvenile Justice Code is to protect citizens from juvenile crime and to hold each juvenile offender directly accountable for his or her acts through enforcement of a dispositional court order; and

WHEREAS, Wis. Stat. § 938.06(5)(a)1. states that the county board of supervisors may, by resolution, authorize the court to place a juvenile in a juvenile detention facility as a disposition or as a place of short-term detention; and

WHEREAS, Wis. Stat. § 938.34(3)(f)3. states the use of placement in a juvenile detention facility as a disposition under Wis. Stat. § 938.34(3)(f) is subject to the adoption of a resolution by the county board of supervisors authorizing the use of those placements as a disposition; and

WHEREAS, Wis. Stat. § 938.355(6d)(e) states the use of placement in a juvenile detention facility as a short-term detention under Wis. Stat. § 938.355(6d)(a)1. or 2. or (b)1. or 2. is subject to the adoption of a resolution by the county board of supervisors authorizing the use of those placements as places of short-term detention; and

WHEREAS, Wis. Stat. § 938.534(1)(b)4. states the use of placement in a juvenile detention facility under Wis. Stat. § 938.534(1)(b)1. or 2. is subject to the adoption of a resolution by the county board of supervisors authorizing the use of those placements as places of short-term detention;

WHEREAS, Waukesha County previously enacted Enrolled Ordinance 151-78 authorizing the Waukesha County Circuit Court, Juvenile Division to use Waukesha County's juvenile detention facility for up to 30 days as a dispositional alternative.

WHEREAS, Waukesha County previously enacted Enrolled Ordinance 178-17 authorizing the Waukesha County Circuit Court, Juvenile Division and the Waukesha County Department of Health and Human Services to continue to detain juveniles for up to 72 hours in a juvenile detention facility operated by Waukesha County or under contract to Waukesha County without hearing based upon a violation of a delinquency order under Wis. Stat. § 938.355(6d)(a), a violation of condition of aftercare supervision under 938.355(6d)(b), or a violation of protection or services order under Wis. Stat. § 938.355(6d)(c).

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS the Waukesha County Circuit Court, Juvenile Division is authorized to place a juvenile in a juvenile detention facility as a disposition under Wis. Stat. § 938.34(3)(f). Placement in a juvenile detention facility as a disposition may be for any combination of single or consecutive days totaling not more than 365 days in a juvenile detention facility under Wis. Stat. § 938.22(2)(d)1. and for not more than 30 consecutive days in another juvenile detention facility.

BE IT FURTHER ORDAINED the Waukesha County Circuit Court, Juvenile Division and the Waukesha County Department of Health and Human Services are authorized to detain juveniles for up to 72 hours in a juvenile detention facility based upon a violation of a delinquency order under or based upon a violation of condition of aftercare supervision under Wis. Stat. § 938.355(6d)(b)1. or 2.

BE IT FURTHER ORDAINED the Waukesha County Circuit Court, Juvenile Division and the Waukesha County Department of Health and Human Services are authorized to detain juveniles for up to 72 hours in a juvenile detention facility based upon a violation of a condition of participation under Wis. Stat. § 938.534(1)(b)1. or 2.

BE IT FURTHER ORDAINED that this ordinance constitutes a “resolution” for the purposes of and within the meaning of Wis. Stat. §§ 938.34(3)(f)3., 938.355(6d)(e), and 938.534(1)(b)4.

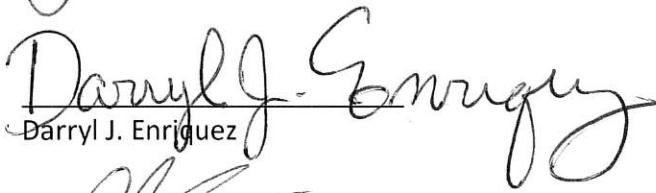
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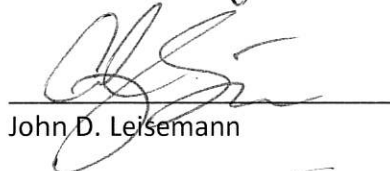
Presented by:
Health and Human Services Committee

Absent

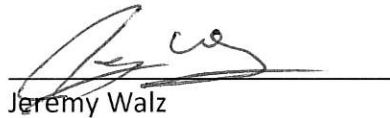
Christine M. Howard, Chair


Jim Batzko


Darryl J. Enriquez


John D. Leisemann


Deb Schroeder


Jeremy Walz

Absent

Peter M. Wolff

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

Date: 05-29-2026, 
County Clerk

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

Approved: X

Vetoed: _____


Date: 6-1-2026, 
Paul Farrow, County Executive

VOTE RESULTS

23 AYE 0 NAY 0 ABSTAIN 2 ABSENT

Consent Agenda

17 Yes Votes Needed

 **Passed**

D1 - Styza	AYE	D10 - Thieme	M	AYE	D19 - Enriquez	AYE
D2 - Euclide	AYE	D11 - Howard		AYE	D20 - Schellinger	AYE
D3 - Gscheidmeier	AYE	D12 - Wolff		AYE	D25 - Johnson	AYE
D4 - Batzko	AYE	D13 - Leisemann		ABSENT	D21 - O'Brien	AYE
D5 - Dondlinger	AYE	D14 - Nissen		AYE	D22 - Gryczka	AYE
D6 - Walz	AYE	D15 - Kolb		AYE	D23 - Hammitt	S AYE
D7 - LaFontain	ABSENT	D16 - Crowley		AYE	D24 - Schroeder	AYE
D8 - Koremenos	AYE	D17 - Meier		AYE		
D9 - Heinrich	AYE	D18 - Nelson		AYE		

48 under or based upon a violation of condition of aftercare supervision under Wis. Stat. §
49 938.355(6d)(b)1. or 2.

50
51 BE IT FURTHER ORDAINED the Waukesha County Circuit Court, Juvenile Division and the
52 Waukesha County Department of Health and Human Services are authorized to detain juveniles
53 for up to 72 hours in a juvenile detention facility based upon a violation of a condition of
54 participation under Wis. Stat. § 938.534(1)(b)1. or 2.

55
56 BE IT FURTHER ORDAINED that this ordinance constitutes a “resolution” for the purposes of
57 and within the meaning of Wis. Stat. §§ 938.34(3)(f)3., 938.355(6d)(e), and 938.534(1)(b)4.