Data Snapshot of Youth Incarceration in Wisconsin

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In Wisconsin, youth who are adjudicated delinquent and committed to the state Department of Corrections (DOC) can be incarcerated in one of four juvenile correctional facilities (Carmichael 2015). The Division of Juvenile Corrections within DOC operates two secure juvenile correctional facilities (Lincoln Hills School for boys and Copper Lake School for girls) and the Grow Academy, a less-secure residential placement for boys. The Department of Health Services operates a secure mental health unit, the Mendota Juvenile Treatment Center, for boys with complex emotional and behavioral health problems. This snapshot summarizes data on youth committed to the state and incarcerated in these facilities. It does not include those held in detention centers or other out-of-home placements operated by counties throughout the state.[1]

Consistent with national trends, youth incarceration in Wisconsin has been declining in recent years. The average daily population of the state's juvenile correctional facilities fell 52 percent between 2005 and 2014 (DJC 2015a).

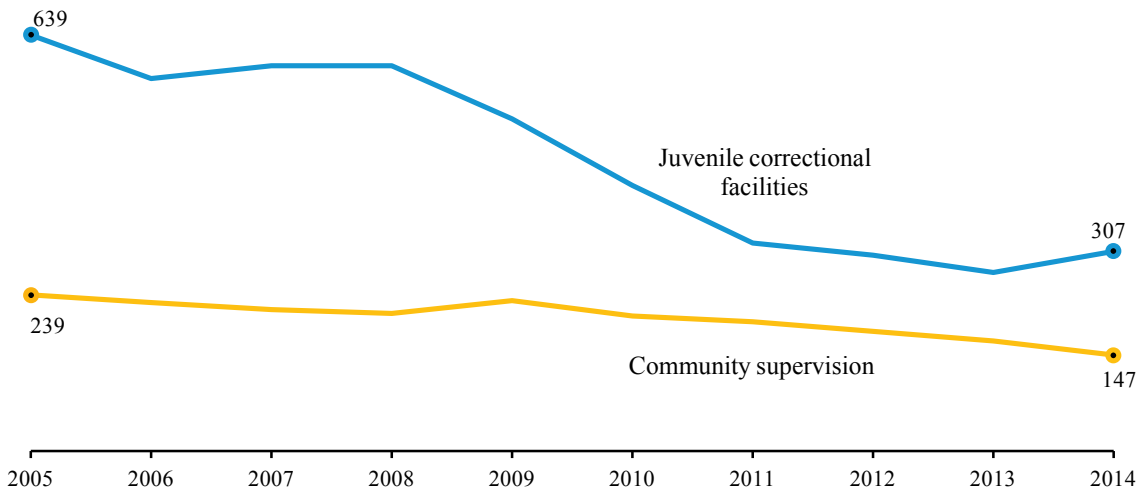
Racial and ethnic inequities in Wisconsin's juvenile justice system have also been declining over the past decade, but severe disparity still persists. In 2013, Black youth in the state were 15 times more likely to be committed to a juvenile correctional facility than White youth.[2] Wisconsin has the fifth-highest Black-White commitment disparity rate in the country.[3]

Youth Incarceration Down 50 Percent since 2005

Youth incarceration in Wisconsin has declined in recent years: the average daily population of youth in juvenile correctional facilities fell from 639 in 2005 to 307 in 2014 (figure 1).[4] The youth arrest rate, one of many factors that can affect incarceration, has also declined, falling 38 percent between 2003 and 2012 (from 8,372 arrests per 100,000 youth to 5,190 arrests per 100,000 youth; Carmichael 2015).

FIGURE 1

Average Daily Population of Justice-Involved Youth Committed to the State of Wisconsin, 2005–14



Source: Division of Juvenile Corrections, *2014 Annual Report* (Madison: State of Wisconsin Department of Corrections, 2015); Division of Juvenile Corrections, *2009 Annual Report* (Madison: State of Wisconsin Department of Corrections, 2011).
Note: Community supervision includes youth who are supervised in the community following release from a correctional facility.

According to the most recently available data, youth in Wisconsin spent more than a year, on average, supervised in juvenile correctional facilities in 2015 (table 1). For youth in the Serious Juvenile Offender program, this was followed by community supervision lasting approximately 3.5 years for females and 2.5 years for males, compared with an average seven months for youth not in the program.[5]

TABLE 1

Average Supervised Days for Justice-Involved Youth by Program, 2015

	In state facility	In community supervision
In Secure Juvenile Offender program		
Male	562	937
Female	494	1,331
Not in Secure Juvenile Offender program		
Male	406	203
Female	389	215

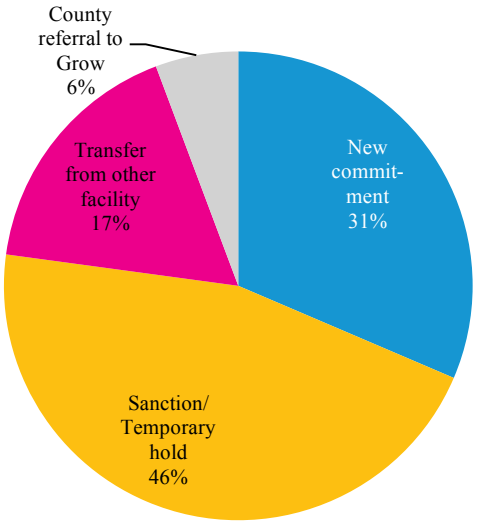
Source: Division of Juvenile Corrections, *Corrections at a Glance* (Madison: State of Wisconsin Department of Corrections, 2015).

Less Than a Third of Youth Are Incarcerated on New Commitments

In 2016, the most common offenses for youth admitted to juvenile correctional facilities were robbery, operating a vehicle without consent, other, sexual assault, and burglary (DJC 2017). Fewer than one in three youth entered correctional facilities on a new court commitment in January 2017 (figure 2).

FIGURE 2

Youth Admitted to State Institutions by Admission Type, January 2017



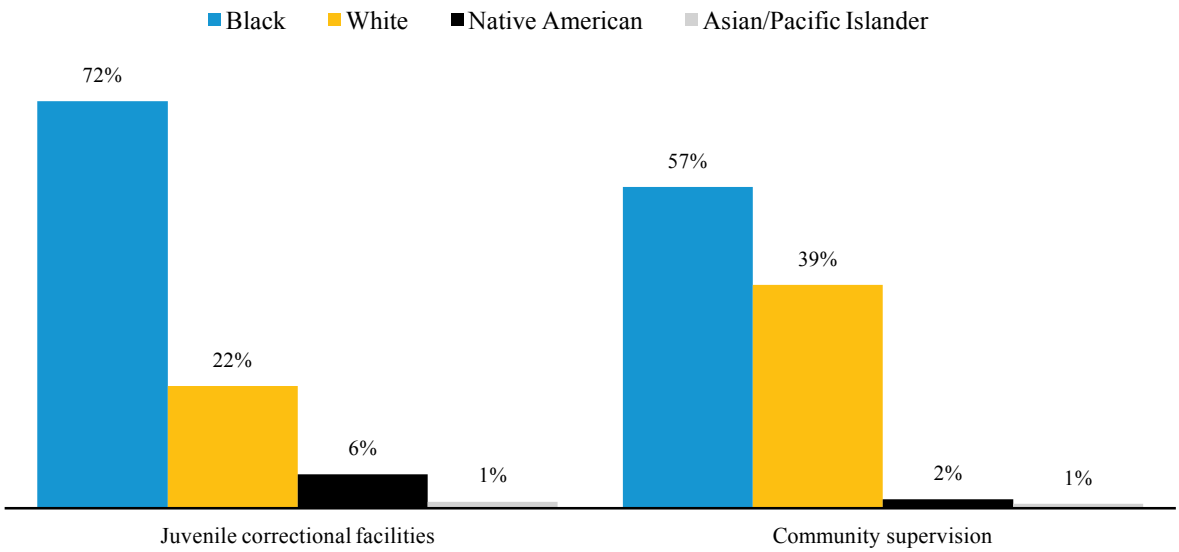
Source: Division of Juvenile Corrections, *Corrections at a Glance* (Madison: State of Wisconsin Department of Corrections, 2017).

Wisconsin Disproportionately Incarcerates Black Youth

The majority of youth committed to juvenile correctional facilities in Wisconsin are Black (figure 3). In 2017, Black youth made up over 70 percent of youth committed to juvenile correctional facilities in the state (DJC 2017); as of 2015, however, only about 10 percent of Wisconsin's total youth population was Black.[6]

FIGURE 3

Race of Youth Supervised by Division of Juvenile Corrections, 2017



Source: Division of Juvenile Corrections, *Corrections at a Glance* (Madison: State of Wisconsin Department of Corrections, 2017).

The majority of youth committed to Division of Juvenile Corrections institutions in Wisconsin are 16 or 17 years old; in February 2017, about 30 percent were older than 17 and less than 10 percent were 15 or younger. On the whole, youth on DJC community supervision tended to be older; a majority in February 2017 were 18 or older (DJC 2017).

Many incarcerated youth have a history of special education needs. In 2012–13, 42 percent of students in juvenile correctional facilities participated in special education programming, compared with a statewide average of 14 percent (Carmichael 2015, 22).

As Population Declines, Wisconsin Still Spends Heavily on Incarceration

In 2014–15, Wisconsin spent $162.8 million on juvenile justice services, including $30 million for the operation of the state's juvenile correctional facilities and $88.6 million provided to counties through the Youth Aids program (Carmichael 2015, 20).

Before the implementation of the Youth Aids program in the 1980s, counties were not financially responsible for youth placed in state secure juvenile correctional facilities, creating an incentive to place youth in state-funded secure care rather than county-funded alternatives. To eliminate this incentive, the state made counties financially responsible for youth placed in state correctional facilities and started providing grants through Youth Aids to help counties pay for juvenile justice–related services. Now, counties are financially responsible for paying for these services, with two exceptions: youth adjudicated as serious juvenile

offenders and youth originally under the jurisdiction of adult court but placed in a juvenile correctional facility (Carmichael 2015, 28–29).

Racial and Ethnic Disparities in Youth Incarceration

In 2014, more than two thirds of youth committed to state juvenile correctional facilities were Black (DJC 2015). Wisconsin has the fifth-highest Black-White commitment disparity rate in the country. While youth arrest rates have declined statewide, rates for youth of color have been declining more slowly (Lecoanet et al. 2014).

In 2013,[7] compared with White youth, Black youth in Wisconsin were

- 19 times more likely to be detained,[8]
- 14.9 times more likely to be committed,[9] and
- 16.2 times more likely to be incarcerated out of home.[10]

Recent Lawsuit

In January 2017, the ACLU filed a federal lawsuit against two juvenile correctional facilities, Lincoln Hills School for Boys and Copper Lake School for Girls, on behalf of four currently and formerly incarcerated youth. The lawsuit raises major concerns surrounding the safety of these facilities, alleging that guards in the prisons physically abused incarcerated youth, routinely used pepper spray as a punishment tactic, and held as many as 20 percent of the population in solitary confinement for 23 hours a day. It follows an FBI investigation launched in 2015 into allegations of abuse at Lincoln Hills that has yet to result in charges. The ACLU has requested class action status for this suit to continue representation on behalf of all incarcerated teens in the facility.[11]

What Incarceration Alternatives Are Available in Wisconsin?

DJC runs the Grow Academy, a less restrictive residential program providing a 120-day curriculum focused on agricultural science to 12 young men.[12] In addition, the Mendota Juvenile Treatment Center, a secure mental health unit housed within the Mendota Mental Health Institute, houses up to 29 young men with complex emotional and behavioral problems.[13] It is important to note, however, that both of these are out-of-home placements.

The state operates one community placement option, the Juvenile Corrective Sanctions Program, in which youth may return to the community but are placed under intense surveillance, monitored electronically, and must follow a strict schedule. Youth may also be given a Type 2 status, where they are placed in a less

restrictive out-of-home placement but may be administratively transferred to different placements, including more restrictive ones, as necessary (Carmichael 2015, 23–27).

Notable Reforms and Ongoing Efforts in Wisconsin

In recent years, Wisconsin closed two secure placement facilities—the Ethan Allen School for Boys and the Southern Oaks Girls School—and transferred youth to the Lincoln Hills School for Boys and the newly created Copper Lake School for Girls. This reflected a steady decline in the number of youth housed at these facilities. Many counties have also made efforts to reduce the number of detained youth in the state by using evidence-based practices and focusing on alternative services.

Notes

[1] Wisconsin youth who are adjudicated delinquent can be placed in 10 different levels of out-of-home placement, ranging from a Type 1 correctional facility (the two secure institutions operated by DJC) to the home of a relative (see Carmichael 2015). Other out-of-home placements include foster homes, group homes, and treatment centers.

[2] "Unbalanced Juvenile Justice," W. Haywood Burns Institute for Juvenile Justice Fairness and Equity, accessed March 13, 2017, http://data.burnsinstitute.org.

[3] Ibid.

[4] This number includes youth incarcerated in the state's traditional secure juvenile correctional facilities, the Grow Academy, and the Mendota Juvenile Treatment Center, as well as in institutions that are now closed, including the Ethan Allen School, Southern Oaks Girls School, and SPRITE program.

[5] The Serious Juvenile Offender program was created in 1995 and includes youth who are adjudicated delinquent of a subset of serious felony offenses (see Carmichael 2015). Youth in the program spend some time in a juvenile correctional facility and receive lengthier and more restrictive supervision in the community post-release.

[6] "Easy Access to Juvenile Populations: 1990–2015," US Department of Justice, Office of Justice Programs, Office ofJuvenile Justice and Delinquency Prevention, accessed March 13, 2017, https://www.ojjdp.gov/ojstatbb/ezapop/.

[7] "Unbalanced Juvenile Justice," http://data.burnsinstitute.org.

[8] Detention is defined as placement in a secure facility pending an adjudication hearing, transfer to adult court, disposition, or transfer to another jurisdiction.

[9] Commitment is defined as court-ordered placement to a facility following adjudication.

[10] Out of home includes detention, commitment, and youth sent to a facility as part of a diversion agreement in lieu of adjudication.

[11] Todd Richmond, "Inmates Sue, Alleging Inhumane Conditions at Wisconsin's Youth Prison," Madison.com, January 24, 2017, http://host.madison.com/news/local/govt-and-politics/inmates-sue-alleging-inhumane-conditions-at-wisconsin-s-youth-prison/article_37c93e2c-b928-598b-9c58-99bd8b1db7d2.html.

[12] "The Grow Academy," Wisconsin Department of Corrections, Division of Juvenile Corrections, accessed March 13, 2017, http://doc.wi.gov/families-visitors/juvenile-services/The-Grow-Academy.

[13] "Mendota Mental Health Institute–Mendota Juvenile Treatment Center," Wisconsin Department of Health Services, accessed March 13, 2017, https://www.dhs.wisconsin.gov/mendota/programs/juv-treatment.htm.

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