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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

1997-98

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Corrections Facilities (AC-CoFa)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

Present: (5) Representatives Walker, Goetsch, Owens,
Huber and Staskunas.

Absent: (0) None.

Moved by Representative Goetsch, seconded by Representative
Huber, that **Assembly Bill 486** be recommended for passage.

Ayes: (5) Representatives Walker, Goetsch, Owens,
Huber and Staskunas.

Noes: (0) None.

Absent: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0, Absent 0

A handwritten signature in black ink, appearing to read 'Mark Grapentine', written over a horizontal line.

Mark Grapentine
Committee Clerk

Vote Record

Assembly Committee on Corrections Facilities

Date: 12.03.97
Moved by: Rep. Goetsch Seconded by: Rep. Huber
AB: 486 Clearinghouse Rule: _____
AB: _____ SB: _____ Appointment: _____
AJR: _____ SJR: _____ Other: _____
A: _____ SR: _____

A/S Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____
A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

Rep. Scott Walker, Chair
Rep. Robert Goetsch
Rep. Carol Owens
Rep. Gregory Huber
Rep. Tony Staskunas

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Robert Goetsch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gregory Huber	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tony Staskunas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>

Motion Carried

Motion Failed



Tommy G. Thompson
Governor

Michael J. Sullivan
Secretary



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Post Office Box 7925
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State of Wisconsin Department of Corrections

Testimony of Marty Ordinans on AB 486
October 22, 1997

Members of the Committee,

Good Morning. My name is Marty Ordinans and I am here to testify in support of AB 486. I work for the Department of Corrections and specifically, I am the director of the Office of Detention Facilities, which is responsible for the inspection, approval and general oversight of the 71 county jails, 61 municipal lockups, one house of correction and 15 county operated secure juvenile detention facilities. Our office is also responsible for the development and promulgation of the administrative rules which apply to these various facilities. The focus of this bill is on the 61 municipal lockup facilities.

Under current law, following arrest, juveniles alleged to have committed a delinquent act are brought to local police departments and placed in non-secure rooms. They are supervised by lockup staff pending determination of the juveniles next placement. Typically, juveniles are held in offices or rooms, located within the police building which provide limited security and safety for the public, staff and juvenile. Police officers then complete their reports, make phone calls and determine the next step, while watching the juvenile in a non-secure area. If a juvenile becomes violent and/or difficult to control, current law prohibits the use of a secure environment in a police station for the temporary detention of these juveniles.

The provisions of this bill will permit municipalities to use their secure lockup facilities for a period not to exceed six hours. The facilities will have to meet DOC standards for approval, which include the provision of health care, suicide prevention, and appropriate supervision. The standards will include provisions consistent with the federal Juvenile Justice and Delinquency Prevention Act and its regulations.

Not all municipalities will likely utilize this option. Physical environment restrictions and other operational issues will result in municipalities choosing not to implement this option and/or the department not approving their facility. However, for those municipalities which can meet the DOC and federal requirements, this provides them with a secure facility for the temporary holding of juvenile offenders. Through cooperative efforts between the Department and the police chiefs, I am confident we will create an environment that is safe and secure for the public, staff and juveniles.



Testimony: Chief Gary J. Mikulec (Whitefish Bay P.D.) representing Milwaukee County Police Chiefs and Waukesha County Police Chiefs.

**Assembly Bill 486
Municipal Lockup for Juveniles**

Date: October 22, 1997

Express gratitude to Chairperson and Committee Members for opportunity to speak.

Police Departments across this State are facing increasing numbers of juvenile offenders and many of these offenders are extremely violent. Juveniles are regularly taken into custody for violent crimes including robbery, sexual assault and, homicide. Many of these juveniles have affiliations with violent gangs and some have exhibited a tenacity for extreme horrifying behavior as they prey on people in our neighborhoods. Citizens are relieved when these violent criminal offenders are taken from the street but few people, if anyone indeed, would believe police officers are exposed to the same levels of violence when dealing with juvenile criminals once they are in custody.

Police officers in this State are currently prohibited from placing juveniles in municipal lockups because State law has not enabled police officers to protect themselves from the same violence that required police intervention in the first place. Current law allows police agencies, with Department of Corrections certified lockups, to hold adults for a period up to 72 hours. No such privilege is extended to holding persons under the age of 18.

Presently, police officers across this State "babysit" juveniles taken into custody because we can't put them in municipal lockups. Juveniles taken into custody can't be placed in lockups so where do they go once in the Police Station? Juveniles are generally separated and placed in offices, handcuffed to radiators, chained to desk drawers, handcuffed to doorknobs or, they remain handcuffed to a police officer while this arresting officer attempts to complete reports, contact social agencies, contact parents, interview victims and generate essential data required for a prosecutor's review.

In some instances Whitefish Bay Police officers have left a juvenile for a short period of

time in order to garner the aforementioned information in a confidential manner only to return to their office and discover the juvenile had urinated on their desk, ripped everything from bulletin boards on a wall, vomited on a computer or, stole personal property from a P.D. office.

On other occasions, an emotionally hostile juvenile has turned on police officers and physical altercations take place in these same offices where everything not anchored to the floor becomes a weapon.

Still, in other situations, victims accompany police back to the station and because juveniles can't be held in lockups the only available place to interview the victim is in the very lockup room where the juvenile offender belongs!

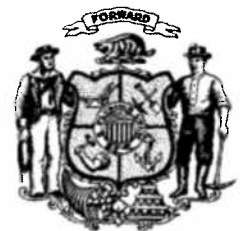
The absurdity of this situation is escalated when multiple juvenile offenders are taken into custody and smaller police departments are now forced to bring in **every patrol officer** off the road in order to keep an eye on the juveniles.

In 1995 the State, recognizing the seriousness of crimes committed by youthful offenders, rewrote the entire Juvenile Justice Code. This new Code allows for adult prosecution of children 14 years of age or older for felonies. This proposed bill asks you to re-establish your recognition of violent criminal behavior committed by children and extend the same level of safety to police officers by allowing us to hold violent children in lockups for a period not to exceed 6 hours.

THANK YOU



WISCONSIN STATE LEGISLATURE



MAY 0 6 1998



Wisconsin State Assembly

FAX COVER SHEET

ATTENTION: Mr. Tony Fiore

FAX NUMBER: 7-0372

NUMBER OF PAGES (INCLUDING COVER SHEET): 4

FROM: REP. SCOTT WALKER: (608) 266-9180

COMMENTS:

Tony –

Here's the only written testimony that was submitted on AB 486. Pretty sparse, but you know how that works.

If you need any more information, please let me know.

Mark Grapentine

*Contact Rep. Walker: Phone - (608) 266-9180 ~ FAX - (608) 282-3614
E-mail - Rep.Walker@legis.state.wi.us*
