



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4783/1
EAW:amn

2017 BILL

1 **AN ACT** *to repeal* 301.20; *to amend* 16.99 (3b) and 301.16 (1x); and *to create*
2 301.01 (4m), 301.16 (1f), 301.16 (1w), 301.18 (1) (fm) and 302.01 (13) of the
3 statutes; **relating to:** establishing regional Type 1 juvenile correctional
4 facilities and converting Lincoln Hills to an adult correctional facility.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Corrections to close the Type 1 juvenile correctional facilities currently known as the Lincoln Hills School for boys and Copper Lake School for girls and report to the Joint Committee on Finance on the feasibility of converting these facilities to a correctional treatment facility for adults in the earned release program. If JCF finds that the conversion is feasible, DOC is required to submit plans for the conversion to the Building Commission for approval. The bill also requires DOC to establish and operate between six and ten regional Type 1 juvenile correctional facilities in the state.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 16.99 (3b) of the statutes is amended to read:

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1 16.99 **(3b)** “Juvenile correctional facility” means ~~the Copper Lake School and~~
2 ~~the Lincoln Hills School a Type 1 juvenile correctional facility, as defined in s. 938.02~~
3 (19), but does not include the Mendota juvenile treatment center under s. 46.057.

4 **SECTION 2.** 301.01 (4m) of the statutes is created to read:

5 301.01 **(4m)** “Type 1 juvenile correctional facility” has the meaning given in s.
6 938.02 (19).

7 **SECTION 3.** 301.16 (1f) of the statutes is created to read:

8 301.16 **(1f)** In addition to the institutions under sub. (1), and subject to 2017
9 Wisconsin Act (this act), sections 9 (1) (b) and (2), the department may establish
10 and operate a correctional treatment facility for the treatment of substance abuse for
11 inmates in the program established under s. 302.05 in the town of Irma, Lincoln
12 County, at the location that was the Lincoln Hills School for boys and Copper Lake
13 School for girls. This subsection constitutes enumeration in the authorized state
14 building program for purposes of s. 20.924.

15 **SECTION 4.** 301.16 (1w) of the statutes is created to read:

16 301.16 **(1w)** (a) The department shall establish and operate no fewer than 6
17 and no more than 10 regional Type 1 juvenile correctional facilities. In establishing
18 the facilities under this subsection, the department shall consider the distribution
19 and density of the population historically served by Type 1 juvenile correctional
20 facilities in the state. Each Type 1 juvenile correctional facility established under
21 this subsection shall do all of the following:

- 22 1. Be designed to accommodate low-, medium-, and high-risk juveniles.
- 23 2. Hold not more than 36 juveniles, and not more than 24 high-risk juveniles.
- 24 3. Maintain a minimum staff-to-juvenile ratio of 1 to 8 during waking hours
25 and 1 to 16 during resident sleeping hours.

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1 (b) The department may designate the Grow Academy in Dane County as a
2 Type 1 juvenile correctional facility under this section.

3 **SECTION 5.** 301.16 (1x) of the statutes is amended to read:

4 301.16 (1x) Inmates from the Wisconsin state prisons may be transferred to the
5 institutions under this section, other than a Type 1 juvenile correctional facility
6 established under sub. (1w), and they shall be subject to all laws pertaining to
7 inmates of other penal institutions of this state. Officers and employees of the
8 institutions shall be subject to the same laws as pertain to other penal institutions.
9 Inmates shall not be received on direct commitment from the courts.

10 **SECTION 6.** 301.18 (1) (fm) of the statutes is created to read:

11 301.18 (1) (fm) Provide the facilities necessary for any Type 1 juvenile
12 correctional facility that is established by the department under s. 301.16 (1w).

13 **SECTION 7.** 301.20 of the statutes is repealed.

14 **SECTION 8.** 302.01 (13) of the statutes is created to read:

15 302.01 (13) The treatment facility established under s. 301.16 (1f) is named
16 "Lincoln Hills Correctional Institution."

17 **SECTION 9. Nonstatutory provisions.**

18 (1) TRANSFER OF INMATES AND CLOSURE OF LINCOLN HILLS SCHOOL FOR BOYS AND
19 COPPER LAKE SCHOOL FOR GIRLS.

20 (a) *Transfer of inmates.* Upon the establishment of the regional Type 1 juvenile
21 correctional facilities under section 301.16 (1w) of the statutes, the department of
22 corrections shall transfer all of the juveniles held in secure custody at the Lincoln
23 Hills School for boys and Copper Lake School for girls to the appropriate regional
24 Type 1 juvenile correctional facility.

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SECTION 9

1 (b) *Closure of facilities.* As soon as possible after the transfer of inmates under
2 paragraph (a), the department of corrections shall permanently close the Type 1
3 juvenile correctional facilities housed at the Lincoln Hills School for boys and Copper
4 Lake School for girls in the town of Irma, Lincoln County.

5 (2) CONVERSION OF STATE CORRECTIONAL FACILITIES. No later than the first day
6 of the 6th month beginning after the effective date of this subsection, the department
7 of corrections shall submit to the joint committee on finance for approval a report on
8 the feasibility of, and, if applicable, a plan for, converting the facilities at the Lincoln
9 Hills School for boys and Copper Lake School for girls to an adult correctional
10 treatment facility under section 301.16 (1f) of the statutes. If the joint committee on
11 finance approves the feasibility report and conversion plan under this subsection,
12 the department of corrections shall submit the conversion plan to the building
13 commission for approval.

14 (END)