

RESOLUTION NO. 3-0301

TO THE HONORABLE BOARD OF SUPERVISORS OF IOWA COUNTY

WHEREAS, Section 938.355(6d)1, Wis. Statutes, permits, subject to adopted court policies and county board adopted policies, for the taking into custody and placement of a juvenile, who has been adjudged delinquent and violates a condition of the dispositional order, in a secure or nonsecure detention facility for up to 72 hours, without a hearing, while the alleged violation is investigated, and

WHEREAS, The Iowa County Board has approved such policy on 2/17/98, and

WHEREAS, Section 938.355(6d)2, Wis. Statutes, permits, subject to adopted court policies and county board adopted policies, for the taking in to custody and placement of a juvenile who has been adjudged delinquent and violates a condition of the dispositional order, in a secure or nonsecure detention facility for up to 72 hours, without a hearing, as a consequence of that violation, and

WHEREAS, The Iowa County Department of Social Services finds that, due to the fullness of the court's calendar, such authority would enhance the department's ability to provide immediate consequences for violations of the rules of supervision, now

THEREFORE BE IT RESOLVED, that the Iowa County Board of Supervisors hereby authorizes the Department of Social Service to apply the provisions of ss. 398.355(6d)1 & 2, when applicable, subject to policies adopted by the court and the County Board, and.

BE IT FURTHER RESOLVED, that the Iowa County Board of Supervisors designates the Iowa County Board of Social Services to adopt such policies as are necessary to fairly administer this provision of the law on behalf of the County Board.

Respectfully submitted,



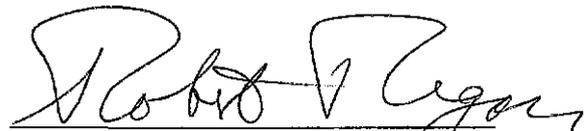
Diane McGuire



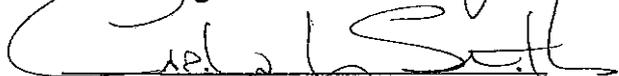
LaVerne Clifton



David Blume



Robert Regan



Carolyn Smith

72 HOUR DETENTION HOLD - POLICIES

- The court shall have explained the conditions of the dispositional order to the juvenile and informed the juvenile of the possible sanctions or, prior to a violation, the juvenile has acknowledged, in writing, that he or she has read or has had read to him or her the conditions and possible sanctions and that he or she understands those conditions and possible sanctions.
- This option shall exist for all offenses under the jurisdiction of the court.
- A juvenile is taken into custody for the purpose of investigating an offense, shall be released from custody as soon as it is determined that the investigation is complete or 72 hours has elapsed, whichever occurs first. The social worker shall determine when the investigation is complete.
- A juvenile is taken into custody as a consequence of a violation of the dispositional order, shall be released from custody as soon as 72 hours has elapsed or at such time that social worker shall determine as sufficient consequence for the violation, whichever occurs first.
- The 72 hour clock begins when the child is taken into custody. Any need to detain in excess of 72 hours requires a court hearing.
- A juvenile may be held in custody for both the investigation of and as a consequence for violating the dispositional order however, the juvenile may not be held in custody in excess of 72 hours without a court hearing.
- The decision to take a juvenile into custody may be made by the assigned social worker, the on-call social worker or the social worker's supervisor.
- A juvenile taken into custody as a consequence for a violation shall be allowed to make a written or oral statement concerning the possible placement and the course of conduct for which the juvenile was taken into custody. The supervisor of the social worker requesting the detention shall review the statement and shall either approve the placement or order the juvenile to be released from custody.
- The social worker issuing the pick-up order is responsible for locating a juvenile detention facility appropriate for the placement and will provide the Sheriff's Department with the information necessary to transport the juvenile to the facility.
- Transportation of the juvenile to a detention facility will be provided by the Sheriff's Department or other appropriate law enforcement agency.
- Juveniles released from placement shall be released to their parent, guardian or other responsible party.
- Payment for detention in a secure facility will be the responsibility of the Sheriff's Department and payment for detention in a non-secure facility will be the responsibility of the Department of Social Services, both of which shall be subject to the contracted daily rate.
- The parent or guardian shall be responsible to reimburse the Department for the costs of nonsecure detention of a juvenile for violations of the rules of supervision.