

Thank you, and good afternoon.

To the Governor's Juvenile Justice Commission, I thank you for your service toward making a better Wisconsin.

I am a career law enforcement officer...a career cop, I like to say. I spent 24 years with the Milwaukee Police Department, starting in 1978. In 2002, I crossed over to the Milwaukee County Sheriff's Office, after being appointed by Governor McCallum to complete the term of my predecessor. I am humbled to have been elected to three consecutive terms to continue in my fundamental role of maintaining the peace throughout my county.

That most sacred trust, to maintain the peaceful quality of life of our residents, hinges upon an effective juvenile justice system. A system that sorts out those with a support structure and who have a realistic chance of being reformed, from those who, as hard as it may be to admit, must be separated from law-abiding society.

Without adequate intervention, juvenile offenders go on to become adult offenders as crime becomes a lifestyle, and delinquency cedes to true criminality and ingrained behavior. Once that behavior is reinforced through the perception that accountability and consequences will *not* be swift, certain or severe, the behavior becomes, at best, a monumental challenge to attack. The juvenile justice system then turns out to be nothing more than a breeding ground into the adult system.

Failure at the juvenile level becomes the mechanism that keeps the revolving door at the adult level well lubricated. Obviously, adult and child psychology are different in many ways known to the committee...but they both find their roots in human nature and human behavior.

Many adult inmates have an extensive juvenile criminal history. And I am heartened to see, in the latest Wisconsin OJA summary of juvenile data, that juvenile arrest rates for violent crime have experienced a fairly steady decline since 2007, and are down nearly 20% from 2009. But often, statistics give false hope and a false sense of reality. Juvenile activity accounted for 18% of all arrests in Wisconsin in 2010, including the most common violent crimes committed by juvenile offenders: aggravated assault and robbery.

Repeat offenders drain our limited resources. They are too quickly returned to the streets only to be arrested again, which taxes police, prosecutors, public defenders, and probation and parole officers. Judges who refuse to impose justice in an effective manner aid this cycle. Unfortunately, I have witnessed the growth of this phenomenon during my 33 years as a law enforcement professional. Plea bargains too often water down sentences, allowing chillingly bold career criminals, and criminals-in-training, to repeatedly prey on society.

I'm thinking of Mical Thomas, a teen who shot and killed a pregnant woman in front of her 13-year-old son during an armed robbery on Milwaukee's west side in August. Thomas and his accomplice, Jimmy Scales, were on "parole supervision" for previous serious crimes. Violent offenders are freed only to commit further acts while awaiting trial on previous offenses. Career criminals, and increasingly juveniles, calculate (quite correctly) that the odds are in their favor, and that the justice system will not adequately punish them when punishment is necessary. They are emboldened, and it is the citizen who is afraid. We must turn around this system so that the *criminal* is afraid.

Ladies and gentlemen, gone are the days of naively believing that juvenile criminals are a modern day Beaver Cleaver, Dennis the Menace, or one of Fred MacMurray's "My Three Sons." Too many of today's juvenile perps have no functioning family support structure or a father in the home.

We must rid ourselves of the naïve view that redemption or rehabilitation is always possible. We must recognize that such growth may only occur in a supportive environment that nurtures insight and makes change a possibility.

Coaching and mentoring have their place in the juvenile justice system. We are a society founded on the concept of a second chance and redemption, but we continue to see juvenile and adult offenders who were given a "second chance" 8, 9, 10 times or more. A "second chance" should be reserved for persons never before arrested, and for low-level crime not involving drug dealing, aggravated assaults, or weapons charges. Accountability and punishment must remain valid philosophies of the justice system.

Politicians running for office rush to be the first to say that they are "tough on crime," but reverse course once elected, and then pander to the therapeutic model that believes that for every pathological behavior there is a program that can cure it. We have to stop being afraid or feeling guilty about being tough on *criminals*.

Detention facilities are crowded, and the media seizes on this fact. Incarceration rates are dissected, and the results decried. How many males? How many females? How many white offenders, and how many black?

Many “experts” in the social sciences have concluded that incarceration has become too costly an approach, or that the system that sees fit to remove violent offenders from access to their victims is too biased to endure. “Alternatives to incarceration” is the newest buzz phrase. But when applied in the wrong manner, alternative sentencing is nothing more than a disguise for going soft on crime. We must recognize that *incarceration is needed when habitual criminals repeat their anti-social behavior*. You simply cannot erase ingrained human behavior. As Aristotle once said, “A man is what he continually does.”

At the very least, when interventions don’t work or need more time, and juveniles become adult offenders, there must be a case history to determine where to pick up, instead of having to start from scratch. Currently, juvenile files aren’t available to practitioners in the adult system. These policies are archaic. Would you want to be treated by a hospital or a doctor who has no access to any of your other medical records or health history, and make the provider start your treatment from scratch? Starting from zero with no history is time consuming, costly and leads to more assessment errors and the likelihood of applying the wrong interventions.

Finally, I encourage the committee, in disbursement of public monies, to establish a more comprehensive monitoring and data analysis system. Hold providers accountable for outcomes, and determine if the money was well spent, and that they achieved the desired result. We have to stop giving people credit simply for trying – only results should matter. Program monitoring, as I have seen it, is largely non-existent, making it impossible to hold people accountable for not reducing recidivism or protecting the public.

In my agency, I have established four criteria for any intervention strategy that we employ. Such strategies must

- Be based on accurate and timely intelligence, confirmed through the presence of verified data;
- Rapidly deploy resources;
- Be effective, and show verifiable outcomes;
- And, most important, be subjected to relentless follow-up and assessment for continued viability.

It is in this final step, of relentless follow-up and assessment, that the taxpayer is protected. The most successful government programs succeed to the point that they cease to be needed. That simple truth remains our steadfast goal.

Thank you.