

Agents raid school for offenders

John Doe probe targets alleged abuse by staff

By **PATRICK MARLEY**
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Madison — Up to two dozen law enforcement officers descended on the state's secure school for young offenders on Saturday as part of a probe into alleged abuse of minors by staff and attempts to cover it up.

The raid on the school came two months after David Forsythe, a Wisconsin Department of Justice special agent for major crimes, opened a John Doe probe in Lincoln County. Two people were interviewed during a secret hearing Thursday as part of that investigation into use of force against juveniles at Lincoln Hills School in Irma, according to court records.

Two top officials responsible for the operation of Lincoln Hills have left in recent days. John Ourada, the school's superintendent, and Paul Westerhaus, the administrator of juvenile corrections for the state, left their jobs Thursday. State officials made it clear the departures were related to the probe but declined to say more.

Beyond that, Department of Corrections spokeswoman Joy Staab said she couldn't immediately say how many Lincoln Hills staff members have been put on leave due to "possible assaults and mistreatment against youth in our custody," and whether it is paid or unpaid leave.

"Throughout the investigation, the department immediately put any staff member identified as potentially involved in any abuse, neglect or other wrongdoing on administrative leave pending investigation. Allegations were received that a small group of staff had assaulted youth, concealed activities involving abuse or neglect and willfully destroyed or failed to file reports that would have brought these actions to the attention of management," she said in an email.

On Saturday, Department of Justice investigators arrived at the site 30 miles north of Wausau about 6a.m., according to Troy Bauch, a union representative for staff there. Bauch said about 25 investigators were involved; a second source said about 15 to 20 were on the scene.

The third shift was just coming off duty at the time investigators arrived. Some workers were held at the facility for hours until they were interviewed, Bauch said. A second source said staff from the first shift coming on duty also were interviewed.

"The staff that were on duty at the time were denied access to the Internet, their email and cellphone lines," Bauch said. "They were told they were seeking any information about child abuse."

Two investigators interviewed each staff member, Bauch said. The staffers were told they could refuse to talk to investigators but would be subpoenaed if they did not agree to the interviews at the facility.

The investigators on Sunday interviewed inmates, according to Bauch. As of Friday, the site held 264 young people — 228 males and 36 females — according to weekly population reports maintained by the Department of Correction.

Forensic experts also downloaded video from the school's cameras around the facility, Bauch said.

'Dangerously out of control'

Rick Badger, a union leader, said staff complaints about security concerns and forced overtime at Lincoln Hills and other state institutions have gone ignored.

"The Saturday morning raid by outside law enforcement officers and investigators at the Lincoln Hills School for Boys would not have been necessary if the facility had not spiraled dangerously out of control," said Badger, executive director of Council 32 of the American Federation of State, County and

Municipal Employees. "AFSCME members for years have complained that DOC leaders were covering up multiple youth-on-youth assaults and assaults on Lincoln Hills staff and failing to report these violent incidents to local law enforcement, as required by law."

The Milwaukee Journal Sentinel, which first reported on the raid, also reported in August on a separate U.S. Department of Justice review of Wisconsin's handling of juvenile offenders. The federal investigation, conducted from 2008 to 2014, revealed Wisconsin was not properly keeping track of juvenile facilities.

In a memo Thursday to his staff, Department of Corrections Secretary Ed Wall said his office became aware late last year of problems at Lincoln Hills and the Copper Lake School for Girls, which shares that site. He said his agency was ramping up its focus on the schools following recent state Justice Department findings that there was an institutional culture that puts youth at risk. Wall also acknowledged that Lincoln Hills "experienced another incident this past weekend (Nov. 28-29) where a youth was assaulted by a staff member and sustained serious physical injury due to the actions of a youth counselor."

Wall wrote that the Corrections Department was providing more resources and training to ensure youth offenders are handled properly, and that staff involved in abuse or neglect are investigated and disciplined promptly. The agency also was reviewing all incidents involving the use of force against youth offenders "over the last five years to ascertain patterns or repeated instances of staff involvement."

"DOC proactively referred this to DOJ due to the fact that some of the allegations were coming from youth already released from custody and DOJ has criminal jurisdiction throughout the state," said a statement from Staab, the Department of Corrections spokeswoman. "The Department of Corrections is committed to our vitally important mission of public safety, while protecting our staff and those in our custody."

In his memo, Wall wrote that other steps by the Corrections Department include the appointment of the new administrator of the Division of Juvenile Corrections, the naming of the new superintendent of Copper Lake/Lincoln Hills Schools and the establishment of a youth injury review panel that will "review every injury to any youth, regardless of how it was sustained."

Speaking to reporters in Madison, Gov. Scott Walker said Wall and top agency officials had brought concerns to the Department of Justice and Lincoln County Sheriff Jeff Jaeger and had not tried to cover them up. The governor said he had been briefed on the probe and met with Attorney General Brad Schimel last week about it.

"What they reported to us is that they thought there was a failure in reporting in the chain of command," and that the concern "doesn't appear to be in the secretary's office," Walker said.

Neither Walker nor Department of Corrections officials explained how the November assault could have happened if so many steps to improve the climate had already been taken.

Department of Justice spokeswoman Anne E. Schwartz did confirm that the agency is investigating at the request of Corrections officials, but said she couldn't comment further because it's an active probe.

Lincoln County District Attorney Don Dunphy, who appeared at Thursday's secret hearing, did not return a phone call.

The investigation is being conducted under the state's John Doe law, which allows prosecutors to compel people to testify and produce documents. It is being overseen by Lincoln County Circuit Judge Robert Russell.

The John Doe probe in Lincoln County was launched Oct. 22, one day before Walker signed legislation limiting the use of those types of investigations.

Probe continues at secure school

Justice agents spend fourth day interviewing staff, juveniles

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Madison — In a sweeping probe involving scores of investigators, Wisconsin Department of Justice agents and attorneys occupied for the fourth day a secure juvenile school as they methodically interviewed staff and juvenile offenders Tuesday about alleged assaults at the facility and a potential cover-up.

About 10 workers connected to Lincoln Hills School for Boys and a sister facility are on paid leave, including one for more than a year, according to union representative Troy Bauch. The Department of Corrections so far has declined to name them, say how long they have been out or report how much taxpayers have spent on their pay since they went on leave.

Current and former workers said the school had many good staff but also was plagued by problems not being addressed.

"It felt like a dirty, rotten, corrupt place where everybody was lying to everybody else to cover their butts," said Kelly Knudsen, who quit as a librarian and teacher in August to take a similar job elsewhere.

Also Tuesday, Lincoln County Coroner Paul Proulx confirmed that there had been an unsuccessful attempt at suicide by an unnamed girl in the fall at the Copper Lake School for Girls, which shares the same site as Lincoln Hills.

The Milwaukee Journal Sentinel broke news Monday of the weekend raid at Lincoln Hills. Shortly afterward, the Department of Corrections released a memo to agency officials that was sent last Thursday by Secretary Ed Wall. In the memo, Wall stressed that he had brought on replacements for John Ourada, the school's superintendent, and Paul Westerhaus, the administrator of juvenile corrections for the state. Just weeks ago, Wall had praised both men in a memo to staff that said they were choosing to retire together in January.

The same day that the two officials left their jobs, Lincoln County Circuit Judge Robert Russell held a hearing as part of a John Doe probe into the secure school. Russell issued a new secrecy order last Thursday that allowed witnesses and prosecutors to discuss the case but forbid them from naming any juveniles at the facility or releasing information that could identify those minors, except in the probe's closed session hearings.

The Department of Justice has been investigating since January. Russell convened the John Doe in October at the request of the department.

Forced to lie

About 50 investigators and attorneys with the state Department of Justice — twice as many as originally believed — were on the scene Saturday, according to sources. They continued to interview staff and offenders on Tuesday, and in recent days a checkpoint was established outside the school that visitors must pass through, according to sources.

Knudsen filed a complaint with a Department of Corrections investigator in October 2014 and testified Thursday as part of the John Doe probe. The complaint she filed focused in part on how staff are treated by supervisors but also included an allegation that youth inmates were being forced to lie about how they received contraband articles such as pornography and chewing tobacco.

In an interview, Knudsen said most of the questions she was asked in Thursday's hearing centered on whether she had witnessed anyone being choked or otherwise assaulted. She said she had heard second hand about the arms or wrists of three students being broken over three years, but that she did not have direct knowledge of assaults.

She also said she heard her colleagues on occasion use racial epithets about the students.

The mostly white staff oversees a largely African-American population, said Knudsen and Bauch, the union representa-

tive.

Knudsen said she thought a small number of staff were responsible for the problems at the school — some of them front-line staff and some of them managers.

In the girl's attempted suicide this fall, the incident was serious enough that Proulx, the coroner and former Lincoln County sheriff, was contacted regarding a potential organ donation. But the girl ultimately survived.

"She's still alive. Last I heard there were signs of recovery and that's all I know," said Proulx, who knew of no similar incidents in his 10 years as coroner.

In response to a Milwaukee Journal Sentinel reporter asking last month about a girl who had committed suicide, department spokeswoman Joy Staab responded on Nov. 23 that she had "no recent reports of suicide at Copper Lake School." Staab confirmed Tuesday there had been a suicide attempt this fall. She said protecting youth at the facility was the department's top priority.

Wall praised leaders

In his memo to Department of Corrections staff Thursday, Wall wrote that a "small group of staff" was responsible for assaults and concealing incidents at the school in Irma, about 30 miles north of Wausau. But Wall's memo also said that Justice Department officials looking into Lincoln Hills found a problem with the culture, and added that a staff assault on the week-end of Nov. 28 and 29 left a juvenile inmate injured.

Bauch, the union representative, said Tuesday that management had long been aware of issues at Lincoln Hills and had discouraged staff from filing many reports.

When situations escalate at the school, supervisors are called to the scene, said Bauch, who is the staff representative for Council 32 of the American Federation of State, County and Municipal Employees. Supervisors have witnessed many recent incidents and often were directing youth counselors and patrol officers on how to act, he alleged.

"None of this is happening in a vacuum," Bauch said. "Management was part and parcel of it."

Though Ourada and Westerhaus were relieved of their duties overseeing the school on Thursday, department officials have not said whether or when they actually left state employment.

In a Nov. 20 communication to corrections employees that was obtained by the newspaper, Wall had only praise for Ourada and Westerhaus.

"Paul Westerhaus and John Ourada have devoted much of their lives to the Wisconsin DOC and the improvement of juvenile corrections in our state. Their impact was not only felt in our state, but across the country and their efforts will never be forgotten. I wish them both the very best in retirement," Wall said.

The memo to DOC employees last month said Ourada and Westerhaus were originally scheduled to leave their jobs on Jan. 9 and presented their departures as retirements.

"Through thick and thin they walked together through their corrections careers and now both have decided that they would retire together," the memo reads.

Staab, the department spokeswoman, had no comment on whether the retirements were announced under pressure, what changed last week, or how the two statements by Wall squared with one another.

Westerhaus was superintendent of the school from 1994 to April 2014, when he was promoted to a job in Madison as assistant administrator of the Division of Juvenile Corrections. This April, he took over that division.

Ourada was deputy superintendent at Lincoln Hills under Westerhaus, and then became the top official at the school in June 2014, after Westerhaus was promoted to the Madison job.

Speaking to reporters in Madison on Monday, Gov. Scott Walker said Wall and top agency officials had brought concerns to the Department of Justice and Lincoln County Sheriff Jeff Jaeger and that Walker didn't believe they had tried to cover them up.

Annya Johnson of the Journal Sentinel staff contributed to this report.

Abuse, misconduct alleged

Lincoln Hills probe looks for several crimes, records show

By **PATRICK MARLEY**
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Merrill — Court records show state authorities are investigating a range of potential crimes at a nearby juvenile prison, including second-degree sexual assault, physical child abuse, and intimidation of victims and witnesses.

In opening the John Doe probe Oct. 22, Lincoln County Circuit Judge Robert Russell found that there was "reason to believe" that those crimes and several more — child neglect, abuse of prisoners, strangulation and suffocation, using pepper spray to cause bodily harm or discomfort, tampering with public records and misconduct in public office — had been committed. The probe focuses on Lincoln Hills School for Boys in Irma, 30 miles north of Wausau.

Russell based his decision on a sealed affidavit by David Forsythe, a state Department of Justice investigator.

Russell's unsealed order, reviewed by the Milwaukee Journal Sentinel, said authorities also are looking into whether laws were violated that govern how state institutions are to be run.

The sweeping scope of the probe raises questions about statements by Corrections Secretary Ed Wall that the investigation is focused on a small group of people. Wall announced two top officials responsible for the school had been taken out of their jobs on Thursday, the same day a closed hearing was held in the probe before Russell.

Forsythe's affidavit, which includes more specifics about the probe and the basis for these allegations, is not part of the open court record and can be reviewed only by those involved in the investigation.

A spokeswoman for the state Department of Corrections had no immediate comment on the case.

Staff speak out

Meanwhile, more current and former staff at Lincoln Hills and the affiliated Copper Lake School for Girls and the state Department of Corrections are coming forward to describe what they call a culture of indifference at the facility where supervisors did not address problems.

They included Mark Towne of Rhinelander, who retired as the assistant superintendent of another state correctional facility after 33 years working in a variety of state prisons for both sexes from minimum to maximum security.

Towne, who has family members working at Lincoln Hills, sent exasperated emails to Wall, other top corrections officials and a dozen lawmakers on Nov. 19, the day after union officials alleged that out-of-control youth at the facility had smashed out the windows of some living units. In the letter obtained by the Journal Sentinel, Towne said that his over 28 years as a DOC trainer "points out to me that there is a serious breakdown in the safety and security policies" at the school.

"There's no way in my opinion (Wall) could not know what was happening," Towne said Wednesday of problems at Lincoln Hills.

"The administration should have had warning signs flying sky high," Towne said, referring to those running the school as well as Wall and his top aides.

Towne sent his emails the day after an incident that union officials also are alleging happened at the schools.

Union representative Troy Bauch shared a series of emails going back to February that he had sent to corrections officials, including the state school superintendent, detailing what he said were unsafe conditions at Lincoln Hills and requesting that youth residents be referred to the Lincoln County sheriff for possible assault charges.

In one email chain sent on Nov. 18 to corrections official Nicole Raisbeck, Bauch described a chaotic series of events in which staff at the facility lost control of six rooms and in which windows were broken out. That description is similar to the one sent by Towne the next day.

"The last three nights have been hell on the staff due to their inability to manage the population. They are having group resistance events. Security is full, no consequence for the youth and they know it," Bauch wrote to Raisbeck.

Ten days later, on the weekend of Nov. 28-29, a youth at the facility sustained "serious physical injury" because of a staff member assault, Wall disclosed last week in a memo to other

DOC staff.

Additionally, Towne's email last month raised other allegations to top corrections officials and lawmakers, including weapons such as shanks being found on inmates and numerous youth-on-youth assaults.

Bauch also shared a news release put out by his union in July 2013 that noted that corrections officials were taking away pepper spray from staff, which the union argued was a tool that could help protect workers and residents at the secure schools.

"These policies have dramatically increased the risk for staff and inmates alike," Ron McAllister, the head of the local union and a longtime youth counselor, said in the release.

Other current and former workers at Lincoln Hills also are talking.

Randy Hahn, a former social worker at the facility, said he initially enjoyed working with youth offenders there after starting in January 2013. But then Hahn, who had previously worked for 10 years as a social worker and directed a Salvation Army homeless shelter in Wausau, transferred to a new job at Lincoln Hills, where he couldn't complete all the necessary paperwork and other tasks on time.

"I could not keep up and had to cut corners to get things done and I didn't like that. It was hurting the kids," said Hahn, who said he raised the issue to a supervisor and to Paul Westerhaus, who at that time was the superintendent of the school.

Hahn said he ended up quitting in the fall of 2013 when his supervisor and Westerhaus offered him more training but not what he wanted: more help or a transfer back to his previous job. Hahn has since tried unsuccessfully to return to one of the jobs at the school he feels he could do, while Westerhaus moved on to become the administrator of juvenile corrections for the state.

Westerhaus left that job abruptly Thursday along with John Ourada, Westerhaus' successor as school superintendent. They left those positions just two days before a sweeping weekend probe in which scores of investigators and attorneys from the Wisconsin Department of Justice occupied Lincoln Hills and methodically interviewed staff and juvenile offenders Tuesday about alleged assaults at the facility and a potential coverup.

"There's a lot of good staff there," Hahn said. "But the good staff are not in control."

Corrections spokeswoman Joy Staab had no immediate comment on the claims, but on Tuesday she said the agency wants to keep youths and staff safe.

"Due to the ongoing investigation, DOC is limited on our ability to comment on specifics regarding the investigation," Staab said.

"The Department of Corrections takes all allegations of abuse or misconduct seriously, which is why we proactively referred allegations concerning the possible mistreatment of youth to DOJ to investigate."

The Journal Sentinel first reported Monday on the weekend raid at Lincoln Hills. Shortly afterward, the Department of Corrections released a memo to agency officials that was sent last week by Wall, the agency secretary. In the memo, Wall stressed that he had brought on replacements for Ourada and Westerhaus. Just weeks before, however, Wall had praised both men in a memo to staff that said they were choosing to retire together in January.

The Department of Justice has been investigating since January.

As part of the state budget approved in June 2011, Walker and GOP lawmakers shut down the youth correctional institutions Ethan Allen School in the Town of Delafield and Southern Oaks Girls School in Union Grove. As part of that change, the juvenile offenders from those closed institutions, including many from southeast Wisconsin, were moved to Lincoln Hills and Copper Lake.

At the time, the Walker administration said the closures were needed because the Department of Corrections had been unable to reduce operating expenses at juvenile facilities enough to align with lower populations.

Lincoln County Coroner Paul Proulx and Staab, the corrections spokeswoman, confirmed this week that there had been an attempted suicide by an unnamed girl in the fall at the Copper Lake School for Girls, which shares the same site as Lincoln Hills.

The incident was serious enough that Proulx, the coroner and former Lincoln County sheriff, was contacted regarding a potential organ donation. But the girl ultimately survived.

Patrick Marley reported from Merrill and Jason Stein from Madison.

FBI joins investigation

Authorities suspect abuse, misconduct

By **PATRICK MARLEY**
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Irma — A tip from Milwaukee County officials in late 2014 may have helped trigger what has become a sweeping probe into a troubled Northwoods juvenile correction facility, an investigation that now involves the FBI.

Thomas Wanta, administrator of the Milwaukee County Division of Delinquency and Court Services, said Thursday that he received an anonymous phone call on Nov. 18, 2014, from a woman alleging that youth at Lincoln Hills School for Boys were not receiving adequate education and that some juveniles there had had their arms broken.

Wanta said his agency, Milwaukee County prosecutors, public defenders, and Circuit Judge Mary Triggiano took the matter to the state Department of Corrections and met with state officials about the allegation the next month.

In January, a state investigation started into this secure school 30 miles north of Wausau that has resulted in at least 10 staff being put on paid leave starting in early 2015, and has led to the departures last week of the school's superintendent and the state's juvenile corrections head.

Wanta's disclosure matches interviews with multiple employees at the prison this week who revealed that some Lincoln Hills workers have been put on paid leave following their involvement in incidents in which youth inmates suffered broken arms or wrists. But at least one staff member who was with an inmate when his wrist was recently broken remains on the job, other workers said.

"We took it seriously and we had concerns and we were hoping (state officials) could alleviate our concerns," said Wanta, adding that he had received relatively little information about the probe until the Milwaukee Journal Sentinel reported Monday on a major weekend raid at the school by law enforcement.

Also Thursday, Leonard Peace, a spokesman for the Federal Bureau of Investigation in Milwaukee, confirmed that his agency is also assisting state authorities in the probe, but declined further comment about the nature of his agency's involvement. Authorities are looking into a range of potential crimes, including second-degree sexual assault, physical child abuse, and intimidation of victims and witnesses, according to court records.

In interviews, those who have walked the halls of Lincoln Hills say staff and students who followed the rules couldn't count on safety or fair treatment. Some youth have attacked other youth and staff; some workers have assaulted youth; superiors have been unwilling or unable to take the actions and provide the resources needed for a safe prison; and a racial disconnect has complicated the interactions between rural Wisconsin workers and urban youth offenders.

In one case, a Muslim teenager from Milwaukee had trouble persuading staff to allow him have a Qur'an, according to that former offender and a staff member who worked directly with him.

That man, 21-year-old Andrew Edwards of Milwaukee, today has a wife and child, works as an independent building contractor and has a clean adult record. But he still remembers time at Lincoln Hills in 2011 and 2012 when he says he was scared of staff and of other youth.

"We look back on it and say, 'We went through some s....,'" Edwards said of himself and other former inmates. "It's stuff that I'm still getting past."

Corrections spokeswoman Joy Staab on Tuesday said the agency wants to keep youths and staff safe but can say little because of the ongoing probe that began with a DOC request to the state Department of Justice.

In another sign of the problems, Rep. Mary Czaja (R-Irma), whose district includes Lincoln Hills, said Thursday that she had first raised concerns about the safety of workers there with state corrections officials in a meeting on March 3.

In interviews, Lincoln Hills workers said they have been put on leave without being told why. Some believe the incidents that are being questioned occurred years ago in some instances.

Workers said they were routinely directed to go into cells without following department policies that require staff to wear protective gear and the incidents to be videotaped. The workers agreed to speak with the Journal Sentinel on the condition that they not be named because of a Department of Cor-

rections policy that bars them from speaking to the media.

Patrol officers have to go into offenders' rooms to remove contraband items or to move the students to other areas when they are being disruptive. When they do that, a supervisor is supposed to be present, the room entry is to be videotaped and those going in are supposed to wear helmets, masks and protective gear.

Supervisors are almost always present when staff go into rooms, but the incidents are rarely recorded and the protective equipment is rarely worn, staff said. One worker said he had only been required to follow those policies once in 10 years.

"When you expect staff to respond, they should have the appropriate training and gear," said Mark Towne, a retired long-time Department of Corrections official with three family members on the Lincoln Hills staff.

Workers said dangerous fights among the offenders are common, with multiple kids sometimes ganging up on others. The patrol officers said they typically respond to such emergencies two to four times each shift — and sometimes much more often than that.

When assaults or disruptions happen, the offenders go to a one inmate per room "security cottage," but after a few days the youths return to their regular rooms. Long-term staff said the stays are much shorter than in years past, when inmates could be put in the security cottages for weeks at a time.

In part, they are sent for shorter stays now because they have to make room at the security cottage for other offenders who are acting out.

"They're emboldened because they've gotten away with so much for so long," Towne said.

Little learning

Meanwhile, officials felt pressure over how much time offenders were spending in school, said former teacher and librarian Kelly Knudsen.

Officials from Milwaukee County — where many of the offenders come from — raised concerns about how much time they spent in their dorm rooms, Knudsen said. Wanta, the Milwaukee County official, confirmed that, saying that questions were raised about how much time was spent in classrooms and the quality of the classes being taught.

In response, Knudsen said Wendy Peterson, the educational director and later deputy superintendent, and Sue Holt, the teacher supervisor, told teachers to focus on "quantity (classroom time) over quality." They advised showing Hollywood movies in class, said Knudsen and another current teacher.

"I didn't go to school for four years to show a movie," said Knudsen.

Peterson and Holt didn't return phone calls.

Edwards, the former youth resident of Lincoln Hills, praised Knudsen's work with the youth, saying that she was one of the staff members he felt safe around. Edwards said he did two stints at Lincoln Hills after being charged for being a party to an armed robbery and for not keeping the terms of his initial release.

His juvenile records are sealed, and he has a clean record as an adult.

Edwards said he had a monthslong struggle to convince Lincoln Hills officials that he is a practicing Muslim who wanted a Qur'an and to be able to keep certain dietary restrictions such as fasting on holy days.

"I constantly had to fight for my rights while I was there," Edwards said.

Knudsen confirmed that Edwards — who she had no doubts was genuinely Muslim — had difficulties getting his own Qur'an.

To save money in the June 2011 budget, Walker and GOP lawmakers shut down the youth correctional institutions Ethan Allen School in the Town of Delafield and Southern Oaks Girls School in Union Grove. As part of that change, the juvenile offenders from those closed institutions, including many from southeast Wisconsin, were moved across the state to Lincoln Hills and its sister school, Copper Lake School for Girls.

Edwards, who was transferred from Ethan Allen to Lincoln Hills, said that some of the Ethan Allen staff were minorities whom he could connect with. That wasn't true at Lincoln Hills, where it was also hard to contact family members, he said.

Racial epithets were used by some staff to students and by some students to staff, Edwards said.

Ryan Mendez, a former teacher from Lincoln Hills who left for a different job, said he also heard racially disparaging remarks from staff, calling it a "toxic environment."

Youth prison chaos revealed

Inmate had toes amputated after incident at Lincoln Hills

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The probe into a troubled Northwoods juvenile prison intensified after a Nov. 29 incident in which a staff member shoved an inmate into his room and slammed the door, catching the youth's foot against the jamb and leaving it so mangled that toes had to be amputated, according to sources familiar with the incident.

The staff member also punched the closed metal door hard enough to require medical attention himself just after the incident, which was captured on video that is now in the hands of law enforcement. He was put on paid leave and has since quit.

Interviews and records from the office of Lincoln County Sheriff Jeff Jaeger provide new glimpses into conditions at the Lincoln Hills School for Boys and the Copper Lake School for Girls, located 30 miles north of Wausau.

In the past two months alone at the prison, two teenage girls hanged themselves to the point of losing consciousness, a staff member allegedly pepper-sprayed two juvenile inmates who were complying with orders, and a staff member allegedly battered another staff member, according to 258 pages of documents released to the Milwaukee Journal Sentinel under the open records law.

Those recent incidents came after a year of warnings about Lincoln Hills to state Department of Corrections officials from a variety of sources, including Milwaukee County officials, union leaders and state Rep. Mary Czaja (R-Irma).

Disruptions continue, said Mark Towne, the former assistant superintendent of McNaughton Correctional Center in Lake Tomahawk.

In recent days, Lincoln Hills inmates have fought with each other multiple times, refused to go into their rooms — at least once en masse — and in one case threw urine on a staff member, said Towne, who has three family members who work at the school. Those incidents erupted in the days after Gov. Scott Walker said he believed Lincoln Hills was now safe, Towne said.

"The governor said it's under control. It's actually not under control," he said.

Records go back a year

The sheriff's dispatch records go back to November 2014 and list allegations of sexual abuse of juveniles, excessive use of force by staff, and youth attacks on staff and other juveniles. They help explain why dozens of state investigators descended on the prison on Dec. 5 as part of a broad probe that now includes the FBI.

Eleven days later, attorneys and investigators have done hundreds of interviews with youth and staff and are still working on the scene.

Department of Corrections spokeswoman Joy Staab declined to address the records, citing the investigation.

"The Department of Corrections is taking aggressive action to investigate past misconduct, ensure immediate safety of youth, and strengthen school operations moving forward," Staab said.

On Nov. 30, Rick Peterson, the security director for Lincoln Hills, called law enforcement about two "excessive force allegations" involving a 17-year-old boy and 16-year-old boy. It's unclear if either are related to the door-slamming incident.

In a Dec. 3 memo, Corrections Secretary Ed Wall referred to that incident as an assault that caused "serious physical injury."

That same day, a Lincoln County judge held a secret hearing in the widening probe of the school and two top state officials abruptly left their jobs: Paul Westerhaus, who led the Division of Juvenile Corrections, and John Ourada, who was the superintendent of Lincoln Hills.

Westerhaus' replacement, John Paquin, sent a letter to parents Friday outlining new security measures and telling them, "Your child at Lincoln Hills School or Copper Lake School is safe and going about their normal day."

The injury to the youth's foot was witnessed by Laura Kernan, a counselor at the school. She said she did not do anything wrong herself, but she was put on paid leave two days afterward without being told why. She was then interviewed by the state Department of Justice.

Since the state Department of Justice opened an investigation into Lincoln Hills in January, at least 10 workers have been put on paid leave at an undisclosed cost to taxpayers.

Milwaukee County officials say they gave the state a complaint about staff breaking the arms of inmates that was received on Nov. 18, 2014. That same day, a child abuse complaint against Lincoln Hills staff was reported to the sheriff by the school's former security director.

That same staff member had a separate abuse allegation made about him on Feb. 10, the records show. He has been put on paid leave, according to sources.

On Jan. 29, corrections investigator Nicole Raisbeck reported to the sheriff's office an allegation of a sexual assault of a 15-year-old male inmate by a 23-year-old female staff member. Aside from the assault involving a minor, any sexual contact between a staff member and an inmate is treated as sexual assault under state law because inmates are not considered able to give their consent.

The records also detail an Oct. 16 incident in which a staff member used pepper spray on two inmates. The sheriff's office was asked to investigate by Peterson, the prison's security director, and another staff member submitted a written statement saying "the youth were sprayed after complying."

Two weeks earlier, the sheriff's office was called regarding an allegation that this same staff member used excessive force.

In October, Lincoln County Circuit Judge Robert Russell found as part of the probe that there was "reason to believe" that a sweeping series of crimes had been committed at Lincoln Hills: sexual assault, physical child abuse, intimidation of victims and witnesses, child neglect, abuse of prisoners, strangulation and suffocation, using pepper spray to cause bodily harm or discomfort, and tampering with public records.

Suicide attempts

At Copper Lake, the sheriff's records also detail two cases in which teenage girls attempted to hang themselves and were taken to hospitals after being unconscious.

The medical responders shocked the first girl with a defibrillator to restart her heart on Nov. 9, the documents say.

Less than two weeks later, Staab, the Corrections spokeswoman, said she had "no recent reports of suicide at Copper Lake."

A 15-year-old girl was also found unconscious in her room on Dec. 5, only hours after authorities raided the prison, according to records. In addition to hanging herself, she later told staff that she had taken pills.

The records show the difficulties faced by school staff.

In January, a 17-year-old boy was arrested after twice punching a staff member. The employee didn't seek medical attention until the next morning because they were "short-staffed" that night, according to dispatch records.

A 17-year-old girl was convicted of battery by prisoner three times this year after she assaulted staff members. In one instance, she grabbed a guard's genitals. The guard was treated for his injuries and prescribed medication for stress.

The records also reveal allegations of a staffer attacking a colleague.

Kernan, the counselor who witnessed the door-slamming, said on Oct. 11 her colleague Lisa Brener screamed and swore at her and other staff for not talking with her. Brener threw a log book that struck Kernan and bruised her leg, with Brener then abandoning her post in a cottage where the inmates are held, according to Kernan.

Brener did not respond to emails from the Journal Sentinel.

Kernan said she sent an email to six of her bosses — including Westerhaus, Ourada and Peterson — the night of the incident alerting them to what had happened. None of them responded to her and no one investigated the matter in the weeks afterward, she said.

"I felt like they were sweeping it under the rug," Kernan said.

Kernan said her bosses showed no sign of looking into the matter until after she told them she planned to notify law enforcement.

Walker's office told about prison

It had much earlier warnings about issues at Lincoln Hills

By **JASON STEIN**
and **DON BEHM**

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Madison — Gov. Scott Walker's office was told multiple times over the past year about problems at a troubled juvenile prison in northern Wisconsin, including claims of violence against youths and staff, inadequate classroom time, and the need to improve sexual assault safeguards, documents show.

Since dozens of agents this month raided the shared Northwoods campus of Lincoln Hills School for Boys and Copper Lake School for Girls, the Republican governor has said that he ordered immediate actions after being briefed on the alleged abuses just days before the raid.

But Walker's office had much earlier warnings about, and opportunities to act on, problems at the prison 30 miles north of Wausau, new documents show. The records were released Thursday to the Milwaukee Journal Sentinel under the state's open records law.

Also Thursday, the Milwaukee County Board unanimously approved a resolution asking the county's circuit court judges to stop sentencing juvenile offenders to prisons until the investigation is completed.

The newly released records show that in fall 2014, Milwaukee County officials raised concerns about Lincoln Hills youths having inadequate classroom time and allegations of youths having arms broken by staffers.

In a Nov. 24, 2014, letter, then-juvenile corrections administrator Cari Taylor wrote to court and county officials statewide that the office of Corrections Secretary Ed Wall was investigating the Milwaukee County complaint.

But a separate email sent by Taylor to Milwaukee officials acknowledged that Lincoln Hills youths were spending only 15.5 hours a week in classrooms, less than the prison's 20 hours per week target, and were trying to fill teacher vacancies to improve that.

Kelly Knudsen, a former librarian at Lincoln Hills, has said that prison staff were then told to focus on "quantity (classroom time) over quality" through any means necessary, including showing students Hollywood movies.

On July 28, Kevin McCarthy, a retired corrections employee living near the Irma prison, wrote the governor's office that he was concerned about the safety of his daughter and friends, who still work at the facility.

"You have staff who are being assaulted, youth who are be-

ing assaulted, doors being broken, windows broken. What has to happen, does the sheriff's department or state police need to get involved when the staff at Lincoln Hills (lose) that institution?" McCarthy wrote on July 28.

Two days after McCarthy wrote Walker's office, Paul Westerhaus, then head of juvenile prisons for the state, wrote McCarthy back to say that "times have changed" since McCarthy retired, but that state officials were working to keep prison staff and inmates safe.

State and federal law enforcement began investigating Lincoln Hills in January 2015 after a referral by state Department of Corrections officials. And the documents show that lower-level staff in the governor's office did refer problems to Department of Corrections officials.

Walker spokeswoman Jocelyn Webster on Thursday defended the governor's responsiveness by pointing to that early referral to law enforcement and the broad measures announced by the administration in recent days, saying safety at the prison is a top priority.

But problems appear to have continued unabated, and no changes were made in leadership.

On July 15, an interim federal audit found that Lincoln Hills met 26 standards around preventing and responding to potential sexual assaults and failed to meet 13 standards. The audit called for: setting up a formal process for reviewing any assaults within 30 days; providing a greater role for a family member or other third party to file complaints or help a youth file one, including an emergency complaint for juveniles at imminent risk; and providing a way for inmates to report sexual assaults to an agency besides the Department of Corrections.

The audit found there was one case of substantiated sexual assault or harassment and 16 more unsubstantiated allegations.

On Nov. 19, Westerhaus sent an email about the audit to Wall and other top agency officials and that email was forwarded to the governor's office the next day. Westerhaus noted that youths at the prison told the federal auditor they felt safe.

"Everyone feels we are in good shape and will be able to meet all the standards," Westerhaus wrote.

Then, on Nov. 29, a youth offender at Lincoln Hills had his foot slammed in a door by a staffer who was trying to push the inmate into his room. The youth was so badly injured that some of his toes had to be amputated. There is video of the incident now in the hands of investigators.

After that incident, the administration adopted its current aggressive posture. On Dec. 3, two days before the Department of Justice raid on Lincoln Hills and four days after the slamming door incident, Westerhaus and Lincoln Hills Superintendent John Ourada were forced out of their jobs.

Prison whistle-blower faces separate assault charges

Ex-counselor accused of abusing child

By JASON STEIN

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Madison — A former counselor at a troubled Northwoods prison for youth recently won a hearing in a whistle-blower complaint about his firing following his allegations about abuses there.

But in a bizarre twist, Chad L. Mauk of Mosinee also faces allegations against him — in October he was charged in Marathon County with two counts of first-degree sexual assault of a 7-year-old child and 13 counts of felony forgery.

Already a defendant in a major criminal case, Mauk came into the public eye in two ways last week: the action in his state Equal Rights Division complaint and the release of an email he wrote to Gov. Scott Walker's office in June complaining of problems at the Lincoln Hills School for Boys and the Copper Lake School for Girls in Lincoln County.

The alleged victim in the Marathon County case is too young to have been an inmate at Lincoln Hills, which generally houses teenagers. That case and the totally separate whistle-blower action are both ongoing.

Mauk, who did not respond to requests for comment by phone and email, has contacted the Milwaukee Journal Sentinel in the past about problems at Lincoln Hills. But the newspaper has not used him as a source for its recent reporting.

Charges were filed against Mauk four months after he was fired by the Department of Corrections on June 15 amid disputes between him and corrections officials over the operations at Lincoln Hills and Mauk's own conduct as an employee. He started work as a youth counselor at Lincoln Hills on Jan. 12.

On Tuesday, Mauk won a hearing before an administrative law judge of his whistle-blower case. State Equal Rights Division officer Andrew Kasper found that there was probable cause to believe that the Department of Corrections had violated the state's whistle-blower protection law.

A state administrative law judge will have to make a determination of that based on evidence presented at the hearing.

"It appears that Mauk made a multitude of complaints to various outlets from April until the end of his employment," the initial report reads. "Mauk's complaints to law enforcement agencies, such as the Lincoln County Sheriff's Department and DOJ, are protected activities under the law."

Mauk also called the governor's office on June 10 and told staff that a video was shown to Lincoln Hills employees "depicting staff physically abusing inmates, after which employees were allegedly informed that although they were not supposed to do the things depicted in the video, they would not get in trouble for performing any of these acts," according to records released by Walker's office on Thursday.

Mauk also said some inmates were not allowed to go to the restroom and had to use the wastebasket in their rooms.

The Walker administration referred those allegations to the

Department of Corrections, which had already placed Mauk on leave on June 8. On June 15, Mauk was fired.

Walker on Friday defended the way his staff and administration responded to a year of steadily more serious warnings about Lincoln Hills, including claims of violence against youths and staff, inadequate classroom time, and the need to improve sexual assault safeguards, documents released Thursday show.

Speaking to reporters Friday, Walker said his office had relayed concerns to Department of Corrections officials and that they, in turn, had asked the state Department of Justice and the Lincoln County Sheriff's Department to investigate in January.

Last month, an incident at the prison led to a juvenile having toes amputated and brought dozens of state and federal agents to the prison 30 miles north of Wausau.

"So the Department of Justice and the Sheriff's Department all looked into it and it wasn't until recently that they brought those concerns to our attention as to just how serious they thought (it was). ... The bottom line is I don't go through every piece of constituent mail, I don't go through every email. I get thousands of those," Walker said Friday.

On April 19, Mauk posted on Facebook that he wanted to launch an academic study to examine the effects of correction staff's aggressive behavior toward juvenile inmates.

"One of Mauk's co-workers shared his post and commented on it, calling Mauk a 'rat' and accusing him of wrongfully believing that corrections officers are the bad guys," the Equal Rights report reads.

Mauk went on to report to DOJ investigators that jail staff was fighting youth inmates in the bathrooms and that Mauk's supervisor hadn't looked into an alleged statement by a co-worker of Mauk that he wanted to shoot a youth inmate for enjoyment.

DOC officials contended to the Equal Rights Division that Mauk's conduct was the reason for his firing. They alleged that Mauk undermined other staff by reversing discipline they handed out, shut a co-worker in a room to force her to discuss a work issue with him, and spent too much time on the computer and not enough supervising his unit.

A number of parties, including union leaders, former prison employees, Milwaukee County officials and Rep. Mary Czaja (R-Irma) also raised concerns to the Walker administration about the safety conditions at the prison.

Then on Nov. 29, a youth offender at Lincoln Hills had his foot slammed in a door by a staffer who was trying to push the inmate into his room. The youth was so badly injured that some of his toes had to be amputated. There is video of the incident now in the hands of investigators.

After that incident, the administration adopted an aggressive posture. On Dec. 3, two days before the Department of Justice raid on Lincoln Hills and four days after the slamming door incident, state juvenile corrections head Paul Westerhaus and Lincoln Hills Superintendent John Ourada were forced out of their jobs.

Lawmakers call for action on Lincoln Hills

Several visit juvenile prison; Moore wants briefing from FBI

By **JASON STEIN**

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Democratic officials at the state and federal level are calling for action on a Northwoods prison that is under investigation for alleged abuses of its juvenile prisoners.

U.S. Rep. Gwen Moore of Milwaukee sent a letter to Federal Bureau of Investigation director James Comey on Wednesday asking that her office be briefed on the investigation being conducted by state Department of Justice and FBI agents into the Lincoln Hills School for Boys and Copper Lake School for Girls, which share a campus 30 miles north of Wausau.

On Monday, state lawmakers of both parties visited the prison, with Democratic Reps. Mandela Barnes and Evan Goyke of Milwaukee expressing deep concern about conditions at the school, where a majority of the inmates are from the state's largest city.

Moore cited a Milwaukee Journal Sentinel report that found that the probe into the prison intensified after a Nov. 29 incident in which a staff member shoved an inmate into his room and slammed the door, catching the youth's foot against the jamb and leaving it so mangled that toes had to be amputated.

"I fear that, without swift intervention, these inmates are at serious risk of becoming another faceless member of our seemingly endless school-to-prison pipeline. I am determined to fulfill our promise to help these youth become productive and successful members of our society," Moore wrote.

At least two top corrections officials have left their jobs and at least 10 workers have been put on paid leave — some going back to early 2015 — as part of the investigation into Lincoln Hills that was launched at the request of corrections officials.

Gov. Scott Walker's administration has pointed to that referral to law enforcement and a host of recently announced changes, including broad reviews of staff use of force, more training and rules for staff as well as additional video and body cameras for workers and the prison itself. Corrections spokeswoman Joy Staab said Tuesday she was working on getting more information on the legislators' visit.

Over the past year, the Walker administration has heard concerns about safety at the prison from Milwaukee County officials, union officials, current and former employees, and state Rep. Mary Czaja (R-Irma). Those concerns have included emails and phone calls to Walker's office.

On Monday, Barnes — the ranking minority member on the Assembly Corrections Committee — and Goyke, the ranking Democratic member on the Assembly Criminal Justice Committee, visited Lincoln Hills and Copper Lake. They also met separately with members of the prison workers union. The two lawmakers said they are still concerned about the safety of inmates and staff.

"In fact, Wisconsin Republicans were made aware of reports of unsafe behavior and a toxic environment at Lincoln Hills up to a year ago — yet, they failed to act on these systemic failures that put our youth and staff in harm's way," Barnes said in a statement. "It is time to stand up and demand answers and provide solutions to fix our broken corrections system and ensure the safety of youth, inmates, and staff at Lincoln Hills and other facilities across our state."

Goyke said state officials need to quickly provide enough staffing at the prison to ensure safety there and then start a discussion about how to improve the work with juveniles there.

In addition to the Democratic lawmakers, Czaja; Rep. Rob Hutton (R-Brookfield), the chairman of the Corrections Committee; and Sen. Tom Tiffany (R-Hazelhurst) also visited the prison Monday. None of them could be reached for comment.

Lincoln Hills staff levels fall behind

Offenders up 69%, while personnel rises 44%

By JASON STEIN
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Madison — The growth in guards and staff at a troubled state prison for youth has not kept up with the sharp increase in inmates over the past four years, a Milwaukee Journal Sentinel review has found.

Since 2010, the number of juvenile offenders at Lincoln Hills School for Boys in Irma and its on-site sister school for girls has risen by 69%, while staffing has risen by only 44%, according to figures from the Legislature's budget office and the state Department of Corrections. That change flows out of decisions to consolidate nearly all the inmates tried as juveniles and held by the State of Wisconsin into a single campus 30 miles north of Wausau.

This month, dozens of state and federal agents and attorneys descended on the prison investigating crimes at the prison campus in Irma from child abuse to the intimidation of witnesses. In one incident, an offender had toes damaged so badly by a slamming metal door that they had to be amputated.

Jim Moeser, a former head of the state's juvenile corrections division who is now the deputy director of the Wisconsin Council on Children and Families, said the staffing levels at Lincoln Hills are one factor among many that need to be reviewed in the light of events there.

"They're always on the edge of 'Do they have enough resources?'" said Moeser, who co-chaired the task force begun under Democratic Gov. Jim Doyle that called for the transfer of juvenile inmates to Lincoln Hills. "I think the staffing levels have been on the edge to do the kinds of things that they want to do.... It certainly bears inspection."

Experts in the field said that it was too early to jump to conclusions about the causes of the problems at Lincoln Hills and that nothing excused the need to follow the law and safeguard the juvenile inmates and staff of the prison. But in reviewing what went wrong, those who have worked in the field said the state needs to consider the sea change that has happened in juvenile corrections over the past two decades — both in Wisconsin and nationally.

From the mid-1990s through 2000, the state's prisons for youth averaged at or near 1,000 inmates at any given time, according to state figures. Today, Lincoln Hills and Copper Lake School serve as the state's single main facility for youth offenders and hold just under 300 of them, or less than one-third of what several prisons once did.

Corrections experts said the decrease in inmates is a largely positive change that reflects lower arrest rates for youth and an ongoing trend of counties providing more local sentencing options for judges to use for convicted juveniles. Those local options have been shown to be cheaper for taxpayers and more effective for the youth themselves, said Thomas Wanta, administrator of the Milwaukee County Division of Delinquency and Court Services.

When an offender can be dealt with through a local sentence, the benefits can include keeping the teenager's connection to his or her community and allowing for restitution or community service to help make amends for the crime, Wanta and Moeser said.

"You normally get better results when you don't break up families," Wanta said.

Efforts such as Wraparound Milwaukee aim to provide youth and relatives with a broad range of services, from family counseling to tutoring and mental health and addiction treatment.

But as those efforts contribute to a decrease in the youth in state prisons, there's been some gradual shift in the typical offenders who are still sent to those facilities.

"You have a tendency to have high-risk behavior, like violent crimes or chronic behavior," Wanta said. "You have to have more services for those acute kids."

Moeser, who has worked on juvenile corrections for four decades and who visited Lincoln Hills multiple times during the year he led that state division in 2003, said there have always been large numbers of youth offenders in the state system who were just as challenging as those present today. But there were other inmates who were not as challenging, offenders who today may not be getting sent to Lincoln Hills, he said.

As the number of juveniles in state prisons fell, Doyle started a process to consider whether to close a state prison for youth and, if so, which one. As a co-chairman of that effort, Moeser said he supported the decision to close Ethan Allen School in the Town of Delafield, in part because he hoped it would lead Milwaukee County to embrace more aggressively sentences that kept juvenile offenders close to home.

But that still hasn't fully happened in Milwaukee, experts

from around the state said. Both Moeser and Wanta said they hoped the allegations about Lincoln Hills would push Milwaukee officials to look at more local sentencing options, something for which some lawmakers and Milwaukee County Board members are calling publicly.

In the June 2011 budget, GOP Gov. Scott Walker and lawmakers from his party went beyond the earlier task force and shut down both Ethan Allen and Southern Oaks Girls School in Union Grove. Inmates from those institutions, many of them from southeast Wisconsin, were moved several hours' travel north to Lincoln, which created a sister school, Copper Lake, to handle the female inmates.

The Lincoln Hills campus went from having 160 male inmates in 2011 to having about 270 male and female youth today, according to state figures. Over about that same four-year period, Lincoln Hills went from having 206 positions before the consolidation to having just under 300 positions.

The consolidation means that state officials now deal with a range of factors with juvenile offenders on a single campus, whether it's the need to keep inmates of different sexes apart or to consider whether to separate youth who belonged to rival gangs before their arrival.

Also in 2011, Walker and Republican lawmakers repealed most collective bargaining for most state employees, including prison unions and including contract talks over workplace safety.

Randy Hahn, a former social worker at Lincoln Hills, said there have been a variety of challenges in the years since the consolidation. That includes a cultural disconnect between the inmates, who are mostly minorities and mostly from Milwaukee, and the staff, who are mostly white and who don't live in a big city.

The prison provided staff with "awesome" diversity training, Hahn said. But he said he believed there's been an influx of challenging cases to Lincoln Hills without enough resources.

"We were spread so thin," Hahn said.

After a year of warnings about conditions at the prison, Walker's administration has pointed to actions being taken to address safety concerns and alleged crimes, including a January 2015 referral of some allegations against staff to law enforcement. Other changes announced this month include new leadership at Lincoln Hills, broad reviews of staff use of force against juvenile inmates, more training and rules for staff as well as additional video and body cameras for workers and the prison itself.

"The Department of Corrections is committed to our vitally important mission of public safety, while protecting our staff and those in our custody," spokeswoman Joy Staab said, calling the well-being of offenders and staff the agency's "top priority."

But after a visit to Lincoln Hills last week, two Democratic lawmakers from Milwaukee, Reps. Mandela Barnes and Evan Goyke, said the state also needs to consider staffing levels at the prison. Both legislators said they talked outside the prison with staffers there who were working forced overtime shifts, including one man who recently worked 16-hour shifts on three consecutive days.

That drains staff of the vigilance and patience that they need to deal with serious offenders, Goyke said.

"If their remedy does not include the immediate hiring of 20 more people, they're going to continue to have problems," Goyke said of prison officials.

Three GOP lawmakers also visited the prison last week: Rep. Rob Hutton of Brookfield, the chairman of the Corrections Committee, and the two lawmakers who represent the prison, Rep. Mary Czaja of Irma and Sen. Tom Tiffany of Hazelhurst. None responded to requests for comment.

Staff and union leaders at Lincoln Hills have also expressed criticism of the current approach being used by administration of the school, saying it has removed consequences for bad behavior and encouraged youth to act out. Known as trauma-informed care, this approach seeks to recognize and address the violence that juvenile offenders may have experienced themselves.

Matt Frank, who served as corrections secretary under Doyle from 2003 to 2007, defended the use of new approaches and said that the fault doesn't necessarily lie with the newer philosophy. But moving away from traditional punishment can require resources and staff time so that one type of consequence can be effectively replaced by another when an offender gets out of line, he said.

In Wisconsin, the cost of most juvenile inmates held in state facilities is paid by taxpayers in the counties that referred the youths, adding constant pressure to hold down costs, Frank said.

But nothing, whether it's a crunch in resources or increased challenges among inmates, can justify putting staff or juveniles at risk, he said.

"The number-one priority of everybody is to have a safe institution," Frank said. "We've got to be honest about what it takes to be effective."

Prison visit preceded praise, raid

Corrections chief met with officials

By **PATRICK MARLEY**
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Madison — State Corrections Secretary Ed Wall and his closest aides visited the troubled Lincoln Hills School with the local sheriff in August — giving him a chance to personally assess allegations of abuse and other problems at the secure institution four months before they became public.

Three months after that visit, Wall praised the two top officials responsible for the school 30 miles north of Wausau when the department announced they would both retire on Jan. 9. Two weeks after Wall sent that memo to all staff, the two officials left their jobs prematurely on Dec. 2 after a teenage inmate had to have his toes amputated when he was shoved partially into his cell and a metal door was slammed on his foot.

Wall has given no explanation for why he had touted the performance of John Ourada, the school's superintendent at the time, and Paul Westerhaus, who was the administrator of the Division of Juvenile Corrections. Their departure from the agency came the same day as the first hearing was held in a John Doe probe looking into possible sexual assault, physical child abuse, intimidation of victims and witnesses, and a slew of other crimes at the school.

The investigation is looking into issues at Lincoln Hills as well as at Copper Lake School, which shares the same campus and houses girls and young women.

Wall, who was appointed by GOP Gov. Scott Walker in October 2012, got a firsthand look at conditions of the schools in Irma in August, four months before about 50 state agents and attorneys raided the prison. The school's visitor log shows Wall visited the school for nearly three hours on Aug. 4 and was accompanied by Deputy Corrections Secretary Deirdre Morgan, Assistant Deputy Secretary Don Friske and Lincoln County Sheriff Jeff Jaeger. For part of that time, they were joined by Detective Sgt. Thomas Barker, the lead investigator for the Sheriff's Office when assaults or other incidents occur at the schools.

Wall and his team were on site from 9:09 to 11:56 a.m. to meet with Ourada, according to the log. Westerhaus was also at the institution that day. He arrived at 7:44 a.m. and left at 1 p.m., meaning he was there for about two hours longer than Wall and the others.

The Milwaukee Journal Sentinel first asked three weeks ago whether such a meeting had occurred, and confirmed it had happened this week when it obtained a copy of the prison's visitor log.

Joy Staab, the Department of Corrections spokeswoman, issued a brief statement Wednesday that said Wall "regularly travels to DOC facilities across the state to meet with staff and stakeholders" and had made multiple visits to Lincoln Hills in 2015. That included a stop at the school the weekend before lawmakers visited the school on Dec. 21, she said.

Staab did not answer questions about whether Wall or the Sheriff's Office initiated the August meeting, what was discussed or what changes were made as a result of the meeting.

Walker spokeswoman Laurel Patrick did not respond to questions about whether Walker was briefed on the issue soon

after the August meeting or whether he thought Wall's response to the situation after the meeting was appropriate. But in a statement, she said when the governor did learn of problems at the schools, he ordered the Department of Corrections to review its protocols, ensure use-of-force incidents were reported to Wall and take "swift and aggressive personnel action" against anyone involved in wrongdoing.

Sheriff's officials referred questions to Chief Deputy Nate Walrath. He did not return a call Wednesday.

Democrats and officials with the prison workers' union have argued that staffing shortages at state prisons such as Lincoln Hills are contributing to safety problems at the facilities.

Wednesday, Sen. Jon Erpenbach (D-Middleton) released a memo from the Legislature's budget office showing that 18% of the 53 staff positions at Copper Lake are vacant, the second highest level of any state facility. At Lincoln Hills, 10.3% of the 232 positions are vacant, just slightly above average for Wisconsin prisons.

The look into problems at the school has resulted in 10 or more staff members being put on paid leave, some of them for nearly a year. Wall's office has declined to release their names or detail the costs of having them receive pay while they are not working.

The Department of Corrections began investigating issues at the schools in late 2014, and Attorney General Brad Schimel's Department of Justice got involved in January 2015. At the request of Schimel's office, Lincoln County Circuit Judge Robert Russell opened the John Doe investigation in October.

The John Doe law gives the state the power to compel people to testify and produce documents as it seeks to determine whether anyone should be charged with crimes.

According to court documents, Russell found there is reason to believe crimes have occurred that include sexual assault, physical child abuse, intimidation of victims and witnesses, child neglect, abuse of prisoners, strangulation and suffocation, using pepper spray to cause bodily harm or discomfort, and tampering with public records.

Witnesses or subjects of the probe were called to testify on Dec. 2 and Dec. 21. Among them was Jeffrey B. Butler, the youth counselor who sources say closed the door on the inmate's foot in November. He has not been charged with any wrongdoing.

On Dec. 21, Butler filed a motion to prevent him from testifying, saying the subpoena for him was improper. The subpoena was not signed and was not served with enough advance notice, according to the motion from his attorney, James Koppelman. Koppelman declined to comment Wednesday.

Troy Bauch, Butler's union representative, said the Nov. 29 incident when the inmate's foot was slammed in the door came at the end of a chaotic shift in which management repeatedly declined to address concerns raised by staff about disruptions in the unit where inmates overseen by Butler were held.

"It's unfortunate, but it was predictable and it was avoidable," Bauch said of the incident.

At the Dec. 21 hearing, prosecutors marked a DVD as evidence but did not use it at the hearing, according to online court records. The records do not say what the DVD showed, but sources have said prosecutors have video footage of the incident involving the inmate whose foot was caught in the door.

Schimel's office so far has declined to make public the list of everyone who has testified.