2020 RES-303 DECREASING THE NUMBER OF BEDS IN THE CONSOLIDATED JAIL WHILE REFORMING THE CRIMINAL JUSTICE SYSTEM

After almost a decade of study, debate, and revisions, the architectural design of the South Tower Addition of the Dane County Jail is almost complete. The project, at a cost of approximately \$150 million, meets the goals and objectives developed by the County Board, community groups, and the Sheriff's Office over years of study, public engagement, and debate as follows:

- o Provides one consolidated jail facility
- o Replaces outdated cellblocks in the City County Building
- o Provides adequate medical and mental health space
- o Eliminates or greatly reduces solitary confinement
- o Provides non-contact visitation at housing units
- o Provides multipurpose space to meet spiritual needs of inmates
- o Provides a centralized location close to the Courthouse and public transportation
- o Reduces the total number of beds from the current capacity of 1,013
- o Improves staffing and operational costs
- o Minimizes the impact to existing operation during construction
- o Replaces the Ferris Center

 The COVID-19 pandemic has prompted a reconsideration of the number of beds needed in the consolidated jail. Since March, 2020, the criminal justice system has made changes to policies and practices which have resulted in fewer than the previous three year average daily population of 831 with a 2020 YTD average daily population of 590 people in the jail or on electronic monitoring each day. These reductions have been achieved through collaboration and cooperation among criminal justice system partners.

Dane County is facing a tough policy choice.

On the one hand, the jail facility in the City County Building is dangerous and inhumane and must be replaced. As other counties across the state and nation see their jail population increase, the consolidated jail, as designed, decreases the number of beds by 91, even as Dane County remains the fastest growing county in the state. While the jail population is at historic lows during the COVID-19 pandemic, this situation is temporary and the population will increase when the courts reopen once COVID-19 is under control. The consolidation project requires significant public investment and must meet the needs of the county for decades to come.

On the other hand, new, ambitious initiatives are expected to continue to lessen the need for jail beds. Dane County is investing in front end alternatives, including a behavioral health triage and restoration center, and a community justice center. Combining collaborative work and sustained commitment at every level of government, as well as building new community partnerships, Dane County has the opportunity to succeed in permanently lowering the jail population.

Balancing these differing perspectives to best serve the people of Dane County requires both trust in reform and a fallback position if a larger facility becomes necessary in the future.

Two previous Dane County projects, the juvenile detention center and the courthouse, space was roughed in for future use, but areas were not fully finished at the time of initial construction. This provides future capacity for the time when the county will have another judge in the case of the

courthouse, or if other needs in youth justice arise. This is an approach that could also be used for the jail.

To provide the incentive and confidence needed to realize successful reform, Dane County could remove the bed capacity provided by Housing Unit 3A in the 3rd floor of the Public Safety Building. Leaving available space sets the expectation that the system-wide cooperation and innovation prompted by COVID-19 and criminal justice reform can lead to much needed long lasting change in our criminal justice systems.

Some might say that this space should be built out for programming, however programming in jail is challenging given the relatively short length of stay. The average amount of time in the Dane County Jail is approximately 24 days, making it difficult to deliver effective programs. With Dane County working to reduce average length of stay, programming space and dollars are better invested in existing and proposed deflection and diversion programs.

In order to have proper space for housing people in the appropriate setting according to their classification and accounting for peaking population times a 20 percent bed buffer is needed. An under roof average daily population of 687 or fewer allows for the closing of Housing Unit 3A. Additionally, the consolidated jail will include medical and mental health beds, which are occupied temporarily until an individual is ready to move to a more permanent housing unit. Conversely medical or mental health housing is not available for those without those needs.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors recommends that the jail consolidation project shall, upon completion of the South Tower construction, close Housing Unit 3A reducing the number of beds in the consolidated jail to 872.