

1 Sub 1 to 2021 RES-320 AS AMENDED

2 AMENDING THE 2022 BUDGET AND AUTHORIZING BORROWING TO INCREASE
3 FUNDING FOR THE DANE COUNTY JAIL CONSOLIDATION PROJECT

4
5 BACKGROUND

6 Dane County has budgeted and authorized borrowing for \$150 million to consolidate the current
7 three jail facilities into one and accommodate program improvements, including medical and
8 mental health beds, and improved visitation spaces. The project envisioned a smaller, safer jail,
9 with a reduction of 91 beds, or almost 9% of current capacity, and the closing of the inhumane,
10 outdated facility on the 6th and 7th floor of the City-County Building.

11 PRIMARY OBJECTIVES

12 Years of study and engagement on this project resulted in an ambitious list of 10 objectives. While
13 all of these objectives are important, given ever-increasing costs, the scope must address the
14 three most important goals, while striving to address the others as possible. The three key
15 objectives are:

- 16 • Replace outdated cellblocks in the City County Building;
- 17 • Eliminate or greatly reduce solitary confinement; and
- 18 • Provide adequate medical and mental health space.

19
20 IMPACT OF THE PANDEMIC

21 Since the start of the COVID-19 pandemic in March 2020, the criminal justice system has made
22 changes to policies and practices to decrease the jail population. Whereas in the three years prior
23 to COVID the average daily jail population was 831 people, in 2020 the average daily population
24 decreased to 582 people in the jail or on electronic monitoring. These reductions have been
25 achieved through collaboration and cooperation among criminal justice system partners.

26
27 CHANGE IN SCOPE AND BUDGET

28 Recent market changes mean that the facility as currently designed will cost considerably more
29 than the authorized budget. Given criminal justice system and jail management changes
30 implemented in the pandemic environment, and the more narrowly focused goals of project, the
31 project should be revised as follows to mitigate cost overruns:

- 32 1. Build a 6 floor tower;
- 33 2. Retain the Ferris Center for Huber resident use, with the intention of developing an
34 alternative to the Huber system within three years;
- 35 3. Do not include Huber housing in the Public Safety Building;
- 36 4. Prioritize centralized in-person visitation in the project, but keep in-person visitation on
37 higher security floors in the tower if possible within the budget;
- 38 5. Incorporate cost saving items identified if needed to meet the budget, such as
39 elimination of the food prep area, elimination of parking in the tower sub basement and
40 elimination of staff office remodel; and
- 41 6. Complete as much of the Public Safety Building renovation as possible as proposed by
42 the design team and approved by the County Board with the budget provided

43 With this approach, the City County Building jail space would be eliminated, Huber resident space
44 would not be required in the Public Safety Building, and the consolidated facility would provide no

45 more than 825 beds to meet necessary resident classification, as the Dane County Sheriff's Office
46 deems appropriate, including medical and mental health beds.

47 Based on the best estimates available, there is an interest in amending the 2022 budget and
48 authorizing an additional \$16 million in borrowing to bring this project to completion with the
49 changes delineated above.

50 COMMITMENT TO REFORM AND TO DECREASED INCARCERATION

51 Criminal justice reform is multi-jurisdictional, with municipal, county, state, and federal
52 government playing key roles. The Dane County Criminal Justice Council brings together the key
53 stakeholders and, along with its three subcommittees, has initiated work on a number of reforms.
54 Further data analysis and sustained intergovernmental cooperation are necessary to address
55 outstanding questions and fully realize the potential of reform.

56
57 Additional multi-jurisdictional approaches to decrease the jail population exist. For example, the
58 Crisis Triage Center should decrease average daily population by approximately 25. The use of
59 a screening tool by law enforcement could result in yet more diversions from jail to mental health
60 support services. At the same time, the Department of Corrections largely determines who, of
61 those recently sentenced or on probation or parole holds, remain in the jail and for how long. A
62 regular population review process with the Department of Corrections to identify and address
63 those who are held for technical violations of probation or parole without a new criminal charge
64 could further decrease the number of residents under roof; on October 19, 2021 there were 46
65 people who met this criteria.

66 Reform of the Huber system also offers potential for decreasing the jail population. It is the
67 Sheriff's purview to determine jail classification for each jail resident - maximum, medium, or
68 minimum security - in addition to any special needs and/or eligibly for special programs, which
69 includes release on electronic monitoring and participation in the Huber program. Changes to
70 the county's approach to Huber, with the development of a justice system services section
71 within the Department of Human Services, could result in fewer individuals held in jail—and
72 potentially better outcomes for the individual's health and wellbeing.

73 There is a willingness on the part of the County Board to consider funding evidence-based
74 practices such as the use of tablets to enhance visitation and programming opportunities, and
75 expanded electronic monitoring.

76 On-going evaluation of criminal justice system reforms will examine effectiveness and efficiency
77 of approaches and guide future budget decisions. Measuring outcomes with accurate data will
78 ensure Dane County is investing in effective programming that reduces incarceration and
79 promotes individual and community health.

80 NOW, THEREFORE, BE IT RESOLVED that the budgeted amounts in account CPSHRF 57037
81 "Jail Consolidation" and CPSHRF 87974 "Borrowing Proceeds" be increased by \$16,000,000

82 BE IT FURTHER RESOLVED that for the purpose of financing the costs of completing the
83 consolidated jail project that consists of constructing a tower up to 6 stories and renovating the
84 Public Safety Building to include no more than 825 beds, including the costs related to the
85 financing, the County Board authorizes the issuance of not to exceed \$16,320,000.00 general
86 obligation bonds for a 20 year term pursuant to Chapter 67 of the Wisconsin Statutes.

87 BE IT FURTHER RESOLVED that the Dane County Board of Supervisors urges the Dane
88 County Criminal Justice Council to routinize bi-annual reporting of the jail population including

89 charge, classification, and Length of Stay, as well as Department of Corrections probation and
90 parole Length of Stay, and Huber and CAMP participation.

91 BE IT FURTHER RESOLVED that the Dane County Board of Supervisors encourages the
92 Wisconsin Department of Corrections and the Dane County Sheriff's Office to hold weekly
93 meetings to review the status of those held on Department of Corrections technical violations
94 without a new charge.

95 BE IT FURTHER RESOLVED that the County Board urges the Dane County Criminal Justice
96 Council-Behavioral Health subcommittee to guide development of a future Justice Support
97 Services division to provide improved outcomes for those whose primary criminal justice
98 involvement was with behavioral health and/or substance use issues.

99 BE IT FURTHER RESOLVED that the County Board will work with the Dane County Criminal
100 Justice Council to eliminate the Huber program by March 1, 2025 replacing it with a human
101 services-based system, with quarterly reports on progress to the Health and Human Needs
102 Committee and the Public Protection and Judiciary Committee

103 BE IT FURTHER RESOLVED that the Dane County Board of Supervisors urges the Sheriff to
104 develop an initiative to expand the use of tablets for visitation and programming for those who are
105 incarcerated, and expand the use of electronic monitoring.

106 BE IT FURTHER RESOLVED that the Dane County Board request the Dane County Criminal
107 Justice Council to make monthly updates to the Dane County jail population demographic
108 dashboard providing jail demographic statistics by gender, race, age, ethnicity, ADA status, and
109 judicial status. It is further requested that the Sheriff's office provides monthly reporting on how
110 many residents in the city county building floors six and seven are considered maximum security
111 residents.

112 BE IT FURTHER RESOLVED that the Dane daily jail report produced by the Dane County
113 Sheriff's office disaggregate the demographic statistics by gender, age, ethnicity, ADA status and
114 judicial status by residents under roof and those on CAMP

115 BE IT FINALLY RESOLVED that the office of the County Board of Supervisors retain the JFA
116 institute to produce a report that recommends specific policy, practice and program reforms that
117 would result in reductions of the jail population and minimize the use of incarceration. The
118 consultant shall meet with stakeholders, including the Criminal Justice Council and its members,
119 subcommittees, and staff, as well as other system and community stakeholders to gather input
120 and potential solutions. The consultant shall also analyze the recommendations and jail
121 project's effects on racial equity in Dane County. This report shall be presented by the
122 consultant to the criminal justice council, the public protection and judiciary committee, and the
123 County Board of Supervisors by August 31, 2022. This report will be funded with \$75,000 of the
124 borrowing proceeds.

125 Be it further resolved that the following accounts be adjusted in the Capital budget COBRDCAP
126 NEW "JFA analysis" \$75,000 CPSHRF 57037 "Jail Consolidation" (\$75,000) and that a waiver
127 of bid be granted to allow the county to contract with JFA for the analysis.

128
129 *This substitute amendment provides \$16 million in budget and bonding authority for the jail project*
130 *while specifying changes to the project.*