

The following are compiled initiatives; however, this list is by no means exhaustive. For additional information from different agencies, please contact those agencies directly.

Overarching Data Recommendations

All three work groups posed important recommendations regarding data collection, disaggregation, and transparency on all steps of the criminal justice process. In response to these recommendations, Dane County criminal justice has become a national model for data sharing. Criminal Justice Council (CJC) member agencies entered into a data sharing memorandum of understanding (MOU). This agreement enables the CJC Research and Innovation Team to analyze the criminal justice system comprehensively and produce reports spanning multiple data points within the justice system. For more information, please visit the CJC Initiatives webpage: <https://cjc.countyofdane.com/Initiatives>

In response to the data recommendations of the RES-556 Work Groups, the Dane County Board of Supervisors created the CJC Research Analyst position to work under the supervision of the Coordinator of the CJC on projects authorized by the Dane County CJC. The Research Analyst produces regular reports on all aspects of the criminal justice system, analyzing data from each point in the system to create a comprehensive data overview of the criminal justice system in Dane County. The Research Analyst uses a racial/ethnicity equity lens to examine data and examines racial disparities in criminal justice. The CJC Research Analyst position was, and is, one of only a few across the State of Wisconsin.

The CJC also collaborated with National Council on Crime and Delinquency (NCCD) to evaluate the progress of the data sharing agreement. The 2018 report is available at this link: <https://cjc.countyofdane.com/documents/NCCDUpdate.pdf>

The CJC also implemented many other data analysis initiatives based upon RES-556 Work Group recommendations. These include:

“First Look at Police Enforcement Data: An Analysis of Police Arrests, Citations and Summons Data Contributed by Fitchburg, Madison, Middleton, Monona, Sun Prairie and Verona”: This report examines police contact, reason for police contact, and arrest charges at the individual level, disaggregated by race, ethnicity, gender, and age in 2016. To read the report, please visit: <https://cjc.countyofdane.com/documents/Dane-County-CJC-Criminal-Justice-Factsheet.pdf>

Pretrial Justice Data Model: The Pretrial Data Model funded by the MacArthur Safety and Justice Challenge Capstone Grant analyzes all steps of the front-end justice system, from initial arrest to booking to pretrial release/detention to charges.

Public Safety Assessment (PSA) Randomized Control Trial: In collaboration with the Access to Justice Lab at Harvard Law School, Dane County conducted a randomized control trial to examine the impact of the standardized pretrial risk assessment on pretrial release decision-making. To read more about this initiative, please visit: <https://cjc.countyofdane.com/Initiatives> and see “Public Safety Assessment.”

Frequency of Signature Bonds in Dane County Criminal Cases: 2012-2016: Judge McNamara released a report in 2018 about signature bonds and cash bail in Dane County between 2012 and 2016. This report found that 82% of pretrial defendants receive a signature bond at some point within their case. This work is being updated for later years by the Pretrial Data Model. To read the report, please visit:

<https://dane.legistar.com/View.ashx?M=F&ID=6320329&GUID=A99FA6B8-88D9-433C-AAC3-2F42508239A3>

Analysis of the Dane County Jail Population: The Jail Stress Test, led by the JFA Institute, also examines the drivers of jail population and what factors lead to the jail population increasing or decreasing. This analysis is being disaggregated by race. To read the 2019 report, please visit: <https://cjc.countyofdane.com/documents/Analysis-of-the-Dane-County-Jail-Population-JFA-Institute.pdf>

Length of Stay Work Group Recommendations

1. Implement full-scale pretrial services, including electronic notification of court dates.

Pretrial Services has increased in scope and implemented the Public Safety Assessment (PSA) to aid in the pretrial release decision-making using evidence-based practices. Pretrial Services caseworkers supervise defendants on pretrial release and connect them to services. Dane County has also implemented a text messaging feature to notify defendants of their court dates.

2. Implicit Bias, Racial Equity and Inclusion, Diversity and Poverty Training.

The Dane County CJC has increased racial equity and implicit bias training in youth and adult justice systems via successful applications to grants (local, state, and national). Additionally, specific agencies have also increased racial equity trainings.

3. Alternative sentencing via community service work and diversion programs.

The Community Restorative Court (CRC) is a diversion program for young adults (17-25 years old) based in restorative justice and community harm repair. The CRC has gained national attention for its work. Additionally, the potential community justice center will provide additional options for diversion programs and connection to services. The triage restoration center will also deflect some individuals who are justice-involved due to behavioral health concerns.

4. Initial Appearances/Bail hearings on weekends and holidays (if possible).

This has not been implemented due to limited staffing. However, during the COVID-19 pandemic, the jail has used video for initial appearances, which the Sheriff's Office said expedited the process.

5. Create a comprehensive reporting system for public oversight and accountability of the District Attorney's office's charging and sentencing recommendation (plea bargaining) policies and practices.

This practice has not been adopted. For more information, please contact the District Attorney's office.

6. Require a racial impact statement before implementing policy.

This practice has not been adopted throughout Dane County; however, policy changes with county funding are required to answer: 1) Who benefits? 2) Who is burdened? 3) Who does not have a voice at the table? 4) How can policymakers mitigate unintended consequences?

7. Require the Department of Corrections to report weekly to the Dane County Board of Supervisors and the County Executive, as to who is on a probation or parole hold.

The Dane County Sheriff's Office has increased transparency through a new online inmate search, which is available on the Sheriff's Office website. This includes individuals who are in jail with Probation and Parole holds.

8. Perform a racial equity analysis on policies related to signature bonds, bail determinations, and eligibility for electronic monitoring.

The CJC Research & Innovation Team is examining these data points and disaggregating them by race. This has already been completed and is regularly updated for signature bonds and cash bail amounts. For more information, please visit the CJC website.

9. To further advance the interests of justice and fairness for individuals held in jail on Dept. of Corrections holds, the Dane County Board shall immediately recommend the following: (a) DOC develop a probation and/or extended supervision hold process wherein individuals who are held in the Dane County Jail and alleged to have only violated rules of supervision be considered for release pending the investigation and the Dept.'s decision whether to seek revocation; (b) that, pursuant to Sec. DOC 331.05 of the Wisconsin Administrative Code, DOC provide a Preliminary Hearing and Detention Hearing for all individuals held in the Dane County Jail who are alleged to have only violated rules of supervision so that some individuals will be released while they await the Final Revocation Hearing.

The CJC does not have this authority over the DOC. However, partnerships are in place to ensure that Probation and Parole violations are considered as quickly as possible, and the DOC is working to expedite these processes. For more information, please visit the Wisconsin Department of Corrections website.

10. Restructure the Dane County Criminal Justice Council to include 5 new members.

The CJC has not restructured due to national best practices, but the CJC is working with community groups on major criminal justice reform initiatives.

Alternatives to Arrest and Incarceration Work Group Recommendations

1. Volunteer Programming-Use and strengthen volunteer programs to reduce involvement with the formal criminal (and juvenile) justice system(s).

The Community Restorative Court (CRC) uses volunteer peacemakers to facilitate community harm repair and divert young adults from the justice system. The community justice system will also offer increased opportunity for community groups to house programs to reduce justice system involvement. Peer specialists are also being considered for programming support in various parts of the justice system. In 2019, the Dane County Board approved a community service proposal by the Dane County Judiciary, which allows Judges to sanction appropriate cases with community service. See the Dane County Circuit Court website for more information.

2. Expand Restorative Justice Models throughout Dane County.

The Community Restorative Court (CRC) is a restorative justice diversion program. There are also restorative justice programs in schools across Dane County. Additionally, the community justice center will be based in principles of restorative justice, racial equity, and procedural fairness.

3. Expand Diversion Services.

The Community Restorative Court (CRC) uses volunteer peacemakers to facilitate community harm repair and divert young adults from the justice system. The CRC has increased caseload substantially over the past few years, and has recently surpassed 1,000 participants. The CRC is housed in a new, larger facility, and is planning to hire additional staff once the pandemic subsides. In 2019, the Dane County Board approved a community service proposal by the Dane County Judiciary, which allows Judges to sanction appropriate cases with community service. See the Dane County Circuit Court website for more information.

4. Create a Racial/Ethnic Equity Data Analyst Position.

The CJC hired a Research Analyst for the Research and Innovation Team. The Research Analyst uses a racial/ethnicity equity lens to examine data and examines racial disparities in criminal justice.

5. Cultural Competence, Social and Racial Justice Training.

The Dane County CJC has increased racial equity and implicit bias training in youth and adult justice systems via successful applications to grants (local, state, and national). Additionally, specific agencies have also increased racial equity trainings. The Dane County Tamara D. Grigsby Office of Equity and Inclusion helps to ensure a culturally diverse workplace. Each county department is requested to present an updated equity plan. See the Tamara D. Grigsby Office of Equity and Inclusion website for more information.

6. Use a Racial Equity Lens to review policies and practices.

The CJC-Racial Disparities Subcommittee spearheads the initiatives towards racial equity and justice. Criminal justice stakeholders are keenly aware of racial disparities and each agency is working to address these policies internally. Policy changes with county funding are required to answer: 1) Who benefits? 2) Who is burdened? 3) Who does not have a voice at the table? 4) How can policymakers mitigate unintended consequences?

7. Review Current Diversion Programs.

The Community Restorative Court is collecting data in a more systematic process for analysis of the program. The drug court was reviewed and restructured in accord with national best practices.

8. Establish Community Advisory Boards.

While the CJC did not form formal community advisory boards, the CJC hosts town halls and community conversations to get feedback and shape future CJC initiatives. The CJC also partners directly with community organizations to hear additional voices who may not be present at the CJC events.

9. Require cultural and linguistic diversity.

Dane County is committed to cultural and linguistic diversity across all agencies. To learn more about specific agencies' commitments and policies on cultural and linguistic diversity in hiring, please visit their websites.

10. Implement a Fugitive Safe Surrender Program.

This program was considered, but it was not implemented in Dane County. Additional discussion of this program has occurred between the University of Wisconsin Law School and Urban League.

Mental Health, Solitary Confinement, and Incarceration Work Group Recommendations

1. Remodel the current jail to reflect a more humane and modern facility.

The jail consolidation project will provide a more humane and modern facility, and will close the outdated model on the top floors of the City County Building.

2. Develop culturally relevant community-based crisis, assessment and resource center.

The triage restoration center will provide a no-wrong door, community-based crisis behavioral health services. The triage restoration center will be open 24/7/365, and will have 23-hour observation beds with referral opportunities to other community resources. The funding for the triage restoration center needs assessment was included in the 2021 budget. The RFP for a consultant is open now (February 26, 2021).

3. Increase the number and reach of mobile crisis response staff/teams.

The City of Madison is piloting a non-law enforcement crisis response model to respond to behavioral health crises. This program will be based upon the STAR model in Denver, CO and the CAHOOTS model in Eugene, OR. Funding for the pilot of this program is included in 2021.

4. Develop more culturally relevant and family centered outreach and engagement.

The Dane County Sheriff's Office collaborates with a number of different nonprofits and agencies to provide culturally relevant and family-centered outreach, engagement, and services. For more information, please contact the Dane County Sheriff's Office.

5. Add culturally relevant staff to work in collaboration with current mental health, substance abuse, or developmental disability services and community resources.

The Dane County Tamara D. Grigsby Office of Equity and Inclusion helps to ensure a culturally diverse workplace. Each county department is requested to present an updated equity plan. See the Tamara D. Grigsby Office of Equity and Inclusion website for more information.

6. Create and sustain a culturally diverse workforce.

The Dane County Tamara D. Grigsby Office of Equity and Inclusion helps to ensure a culturally diverse workplace. Each county department is requested to present an updated equity plan. See the Tamara D. Grigsby Office of Equity and Inclusion website for more information.

7. Reduce the length of time in solitary confinement and administrative segregation.

The Dane County Sheriff's Office would use the jail consolidation project to decrease solitary confinement by increasing the availability of mental healthcare and supportive services. The CJC does not currently have data on this issue. For more information, please contact the Dane County Sheriff's Office.

8. County Executive should convene a leadership team of mental health providers, advocates and others, to explore: 1) The current system of financing mental health services in the public and private sector and identify opportunities or strategies to enhance collaboration and/or the more effective use of public and private resources and to increase funding through securing grants or other resources focused on improving mental health service outcomes; and 2) Development of more cost effective, coordinated, sustainable, and comprehensive services to support individuals with mental health, developmental disability, and substance abuse issues in the community, reducing the need for jail and/or hospital diversion and supporting reentry.

In conducting the needs assessment for the triage restoration center, sustainable, coordinated funding for mental health services will be a core issue that is discussed in great depth. UWHealth has also stated interest in collaborating on the triage restoration center, which is a major opportunity for cross-system collaboration.

9. Support the development of a plan to deliver additional training and resources for judicial officials, attorneys, and others involved in the court process.

In 2019, the CJC formed the Behavioral Health subcommittee to analyze and address behavioral health needs across the Dane County criminal justice system. The subcommittee reviews the Sequential Intercept Model (SIM) to best determine the gaps and needs in behavioral health resources throughout the criminal justice system and shares those with stakeholders in the court process.

10. Convene a workgroup under the auspices of the Criminal Justice Council to identify and sustain strategies to improve processes and expedite cases for inmates with significant mental health, substance abuse, or developmental disability issues as may be appropriate.

In 2019, the CJC formed the Behavioral Health subcommittee to analyze and address behavioral health needs across the Dane County criminal justice system. The subcommittee reviews the Sequential Intercept Model (SIM) to best determine the gaps and needs across the justice system. The jail will be reviewed at Intercept 3, at which time these strategies will be studied in great depth.