

The Hoover Family Foundation Recommends this Adoption of the Following County Board Resolution

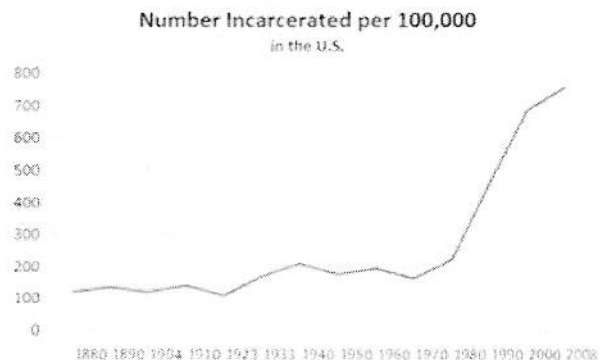
**Ending Mass Incarceration and Addressing Racial Injustice
In Dane County's Criminal Justice System
County Board Resolution**

Mass Incarceration: Massively Wrong

It's time to stop and ask some questions.

Our society is not alone in wanting peace and safety on our streets, and a hope-filled and creative future for our children. We're not alone in sharing deeply held beliefs about just punishment for evil actions. But in the United States we are alone in the way we choose to reach for those desires and implement those deep beliefs. The United States incarcerates a higher share of its population than any nation in the world—higher than Russia and the emerging Soviet states; higher than Rwanda, where many people are still imprisoned for genocide; higher than Cuba. As a share of the U.S. population, we incarcerate five times as many people as England, six times as many as Canada, and seven times as many as France or Germany. Our incarceration rate is seven times the median rate of our economic partners in the Organization for Economic Cooperation and Development. While the U.S. comprises 5 percent of the world's population, we hold almost 25 percent of the world's reported prisoners.

These figures and trends are not just out of step with the rest of the world, they are out of step with our own history. From 1880 to 1970, incarceration rates in the U.S. tracked relatively closely to population growth. Since 1970, however, incarceration rates have quintupled, while the U.S. population itself has only grown by about 40 percent.



Is this rise due to more people being sent to prison for crimes? The surprising answer is "no." During this same time period, crime rates have fluctuated up and down, with little or no relationship to increased incarceration rates. Since 1990, the crime rate has fallen year after year, but incarceration rates continue to climb. The biggest contributors to the increased prison population are the longer sentences and mandatory sentences imposed by state and federal laws, primarily for drug-related crimes. Prisons are filling up mainly because fewer people are being released.

Who Is In Prison?

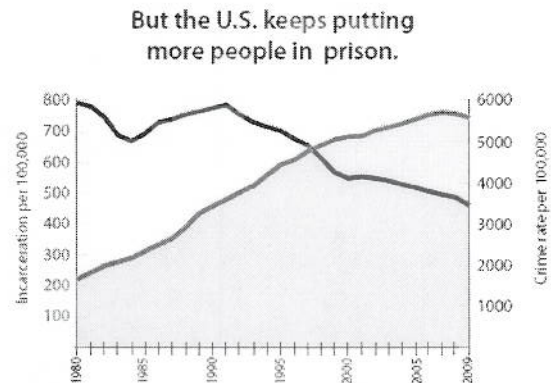
Prisoners in the United States are overwhelmingly male, black or Hispanic, and being held for non-violent crimes. Of the 2.3 million people in U.S. prisons, 93 percent are men—equal to the male population of six states. About two-thirds are black, Hispanic or another minority group. The majority of prisoners, 62 percent, are being held for non-violent crimes (drugs, property theft and "public order" offenses). By one estimate, 80 percent of the prison population is in need of mental health services; four times as many mentally ill people are in prisons as in mental hospitals or psychiatric facilities.

People in prison are more likely to be poor and under-educated than the general U.S. population. In one 1997 study, 43 percent of federal prisoners reported incomes in the previous year that were at or below the poverty line, compared to the recently released historically high poverty rate in the general population of 15 percent. About 32 percent of prisoners reported that they were unemployed in the month prior to incarceration, and about 30 percent were receiving public assistance. Another study of 1997 data showed that about 40 percent of state and federal prisoners had not completed high school, and only 11 percent had taken at least some college courses. Of those who had completed a GED, about 70 percent had completed it while in prison.

More Prisoners Doesn't Make for Safer Streets

The statistics on crime rates suggest that increased incarceration has very little effect on crime. Why? Incarceration could help increase public safety if it deters people from committing crimes, if it removes people who commit crimes from society ("warehousing") or if it helps to rehabilitate people who have committed crimes. Does it in fact do any of these things?

If a person considering criminal activity thinks that he or she has a good chance of being caught and sent to jail or prison, and if the person is not driven by another overpowering influence (such as addiction, mental illness or desperation), it is reasonable to assume that a potential criminal would take the likelihood of punishment into account and be deterred from criminal activity. However, it turns out that the threat of lengthy prison sentences is a poor deterrent. Given the number of crimes driven by addiction, mental illness and desperation, rational planning has only a small role to play in the contemplation of criminal activity.



"Warehousing" refers to the inarguable fact that a person behind bars is less of a threat than a person who is on the streets. Several recent studies suggest that removing people who commit crimes from the streets does have some effect: for every 10 percent increase in incarceration, a corresponding 2-4 percent decrease in the crime rate can be anticipated. The expense of incarceration, however, outweighs this possible small gain in crime reduction.

What about rehabilitation? Rehabilitation programs in prison have come and gone in many different forms, from isolation, silence and moral contemplation in the early penitentiaries, to more recent movements toward education and training of prisoners. Pell Grants (student aid) became available to prisoners in 1972, and higher education in prisons spread rapidly. These programs had a salutary effect on employment for prisoners who served their terms and helped to cut recidivism rates in half for those who participated in college classes. However, in 1994 Congress banned Pell Grants for prisoners, branding the education of prisoners as "coddling" criminals.

Without successful rehabilitation and support after release from prison, many former prisoners will commit more crimes and be more likely than the average person to be arrested and returned to prison. Given the unlikelihood of deterrence, the weak impact of warehousing and the near non-existence of rehabilitation in prisons, incarceration should not be expected to bring crime down.

From the Quaker website:
fenl.org/resources/newsletter/septoct11/mass_incarceration_massively_wrong/

Dane County is no exception and is part of the unacceptable national level of mass incarceration of Dane County residents. Further, Dane County's most recent Federal Criminal Justice Jail Report submitted by Dane County in 2012 notes a black population of 5.4% and an incarceration rate of 48.9% black people in the jail

Now, therefore, be it resolved that Dane County Board of Supervisors is committed to immediately take action to reduce in half the incarceration levels in Dane County and reduce by half the racial disparity in Dane County jail.

Be it further resolved that Dane County will encourage all municipal jurisdictions in Dane County to adopt this resolution.

Be it finally resolved that the Dane County Board adopt the following principles in all actions related to the Dane County Criminal Justice System.

1. Adopt the goal of training all law enforcement personnel in CPI, or equivalent training to enable law enforcement personnel to settle intense situations by defusing the incident without violence and minimizing actual arrests.
2. Prioritize a coordinated system of community treatment for substance abuse, mental health treatment and the developmentally disabled people. Minimize any arrests and take people directly to community treatment rather than book and place such individuals in jail and that often results in solitary confinement. Every person (approximately 12,000 people per year) should be screened and assisted in obtaining health insurance and other public benefits which can provide the major funding sources to pay for community treatment as promoted by the Federal Justice Department and recently invited partnership TASC being explored by the Dane County PreSentencing Work Group. This does not cost or increase the cost to County government but actually can potentially save the County funding of treatment programs.
3. Maximize use of classifying offenses as misdemeanors that can be handled as a fine (ticket) versus booking and charging as a crime. Maximize the use of presentencing (preCCAP) programs following models as in Milwaukee and newly implemented Dane County restitution program. Expand the use of or implement diversional court programs for crimes such as drug court, mental health court, veteran's court.
4. Ensure that those charged with crimes are in the least restrictive setting possible and still ensure reasonable public safety
5. Minimize fines and using the jail as a revenue source through incarcerating individuals from other jurisdictions and charging for services such as coin operated laundry and phone service. Ensure that anyone who was represented by the Public Defender's Office does not pay to be on the electronic bracelet program since they were already determined indigent per Chapter 49. Provide cell phones through the free service provided by the County for low income individuals. Expand the electronic program with emphasis on using risk assessment tools that are race

neutral and ensure Huber prisoners are not held in secure settings since they are free to be in the community during the day.

6. Ensure continuity of health care of jail participants.
7. Create a dashboard information system to be placed on the internet so goals are monitored for ending mass incarceration and the intolerable racial injustice of all aspects from arrest to the number incarcerated, participation in release, diversionary programs, and length of sentence in the Dane County Justice system.

MOVE FROM A PUNISHMENT SYSTEM TO A REHABILITATIVE SYSTEM OF CRIMINAL JUSTICE.