

1 Sub \_\_\_ to 2021 RES-320 (PROPOSED – ANDRAE, BAYRD, EICHER, MILES, SCHAUER, RATCLIFF)  
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10 outdated facility on the 6<sup>th</sup> and 7<sup>th</sup> floor of the City-County Building.

11 The Jail Consolidation Project has endured many challenges over the last half dozen years, from  
12 the realization that the current Public Safety Building is unable to accommodate a vertical  
13 expansion of four floors, leading to a doubling of the initial budget to \$150 million, followed by  
14 design elements that exceeded that new budget at a time when there was increased attention to  
15 the need for criminal justice reform after the murder of George Floyd, to a controversial change  
16 order to pay for the work to “value engineer” the project to meet the approved budget, to the  
17 pandemic and the drastic lowering of the under roof jail population, to witnessing other counties  
18 instituting policy and programmatic shifts to lower jail population, to the current roadblock of  
19 dramatic, unprecedented increases in the cost of materials and labor, pushing the cost of the  
20 project tens of millions above budget.  
21

22 PRIMARY OBJECTIVES

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

- 27 • Replace outdated cellblocks in the City County Building;
  - 28 • Eliminate or greatly reduce solitary confinement; and
  - 29 • Provide adequate medical and mental health space.
- 30

31 IMPACT OF THE PANDEMIC

32 Since the start of the COVID-19 pandemic in March 2020, the criminal justice system has made  
33 changes to policies and practices to decrease the jail population. Whereas in the three years prior  
34 to COVID the average daily jail population was 831 people, in 2020 the average daily population  
35 decreased to 582 people in the jail or on electronic monitoring. These reductions have been  
36 achieved through collaboration and cooperation among criminal justice system partners.  
37

38 CHANGE IN SCOPE AND BUDGET

39 Recent market changes mean that the facility as currently designed will cost considerably more  
40 that the authorized budget. Given criminal justice system and jail management changes

41 implemented in the pandemic environment, and the more narrowly focused goals of project, the  
42 project should be revised as follows to mitigate cost overruns:

- 43 1. Build a 6 floor tower;
- 44 2. Retain the Ferris Center for Huber resident use, with the intention of developing an  
45 alternative to the Huber system within three years;
- 46 3. Do not include Huber housing in the Public Safety Building;
- 47 4. Prioritize centralized in-person visitation in the project, but keep in-person visitation on  
48 higher security floors in the tower if possible within the budget;
- 49 5. Incorporate cost saving items identified in the change order proposed in 2021 RES-319  
50 CHANGE ORDER #12 TO THE AGREEMENT FOR MEAD & HUNT, INC. FOR JAIL  
51 CONSOLIDATION-ARCHITECTURAL / ENGINEERING DESIGN SERVICES AT THE PUBLIC SAFETY  
52 BUILDING, if needed to meet the budget, such as elimination of the food prep area,  
53 elimination of parking in the tower sub-basement, and elimination of staff office remodel;  
54 and
- 55 6. Complete as much of the Public Safety Building renovation as possible as determined by  
56 the design team within the budget provided.

57

58 With this approach, the City County Building jail space would be eliminated, Huber resident space  
59 would not be required in the Public Safety Building, and the consolidated facility would provide no  
60 more than 825 beds to meet necessary resident classification, as the Dane County Sheriff's Office  
61 deems appropriate, including medical and mental health beds.

62

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

66 ~~likely cost of the facility will be greater than the amount currently budgeted. The Department of~~  
67 ~~Public Works, working with the Dane County Sheriff's Office and Mead and Hunt, the firm~~  
68 ~~designing the building, estimate the cost overruns to be approximately \$24 million dollars.~~

69

70 ~~After almost a decade of study, debate, and design, it is critical to bring this project to completion.~~  
71 ~~That requires amending the 2022 budget and authorizing borrowing to cover the anticipated~~  
72 ~~shortfall.~~

73

74 COMMITMENT TO REFORM AND TO DECREASED INCARCERATION

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

80

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

90

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

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

101

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

106

107 NOW, THEREFORE, BE IT RESOLVED that the budgeted amounts in account CPSHRF 57037  
108 "Jail Consolidation" and CPSHRF 87974 "Borrowing Proceeds" be increased by \$16,000,000  
109 \$24,000,000;

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111 BE IT FURTHER RESOLVED that for the purpose of financing the costs of completing the  
112 consolidated jail project that consists of constructing a 6-story tower and renovating the Public  
113 Safety Building to include no more than 825 beds, including the costs related to the financing, the  
114 County Board authorizes the issuance of not to exceed \$16,320,000.00 ~~\$24,480,000.00~~ general  
115 obligation bonds for a 20 year term pursuant to Chapter 67 of the Wisconsin Statutes.

116

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

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

121

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

126

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

131

132 BE IT FURTHER RESOLVED that the County Board urges the Dane County Criminal Justice  
133 Council to take steps to eliminate the Huber program in the next three years, replacing it with a  
134 human services-based system that serves offenders as well as the needs of victims, with regular  
135 reports on progress to the Health and Human Needs Committee and the Public Protection and  
136 Judiciary Committee.

137

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

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142 BE IT FINALLY RESOLVED that the Office of the Dane County Board of Supervisors, in  
143 cooperation with the members of the Criminal Justice Council, retain a consultant to evaluate  
144 specific policy, practice, and program effectiveness in reducing the jail population.

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