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2019 RES-067
COMMUNITY ALTERNATIVE PLAN FOR HOUSING,
HEALTH CARE, AND DECARCERATION

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Almost four years after the report of 2014 Res. 556, *Investigating Solutions to Racial Disparities and Mental Health Challenges in the Dane County Jail and throughout Dane County's Criminal Justice System*, many recommendations to reduce the jail population are still in progress or have not yet begun to be implemented, including an expansion of crisis stabilization services. The lack of supportive and accessible housing is a barrier to release and an impediment to reducing our jail population. 17% of the jail population on the July 2017 Point in Time HUD Count were homeless prior to entering Dane County jail.

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In July 2012, Dane County recognized housing as a human right and in Res. 292, 11-12, and that "access to housing is a key element in addressing many issues in Dane County, including gang prevention, crime, and poverty. In 2007, the Dane County Enhanced Youth Gang Prevention Task Force listed "accessible and affordable housing" as one of their prevention strategies and recognized that "stable and affordable housing is foundational to family stability and gang prevention". In 2009, the Dane County Task Force on Racial Disparities in the Criminal Justice System, reported "ex-offenders returning to the community after prison face great difficulty obtaining stable housing, employment, support, and treatment" which is "instrumental in avoiding re-incarceration".

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In 2016, the Diversion Work Group recommended:

- Major system partner's act together to (A) identify individuals with mental health issues have repeated and chronic contact with law enforcement and jail; and (B) develop an individualized intervention and crisis plan to reduce the likelihood of placement in jail."
- Expansion of the Community Restorative Court.
- All Dane County law enforcement agencies develop and implement policies, practices, resources, and training and that limit the use of arrest to cases in which it is required by law or necessary for protection of the public or suspect and encourage the use of alternatives.
- Development of a short-term crisis/stabilization program that includes the capacity for short-term (up to 7 days) residential placement, crisis assessment, linking individuals to other community resources, etc. This type of program has commonly been referred to as a "restoration center", but the size/scope can vary depending on how it links with other resources (e.g. case management, treatment services, etc.).

The Res. 556 Mental Health, Solitary Confinement, and Incarceration Work Group recommended the creation of one or more crisis, assessment, and resource centers or programs to provide an alternative to incarceration for persons experiencing behavioral health crises.

The Res. 556 Length of Stay Work Group recommended "a racial equity analysis of all policies related to signature bonds, bail determinations, and eligibility for electronic monitoring" and additional data from and agreements with the Department of Corrections to have persons facing revocation released pending the revocation investigation.

In September, 2007, the Criminal Justice System Assessment recommended holding initial/bail hearings on weekends and holidays to reduce lengths of stay.

48 To reduce the jail population and divert more persons from Dane County jail, Dane County
49 needs support, leadership, and collaboration from the members of the Criminal Justice Council.
50 The Criminal Justice Council would benefit from the perspectives of persons with lived
51 experience of incarceration and persons with expertise in behavioral health issues. The 2014
52 Resolution 556 Length of Stay Work Group recommended adding five additional members to
53 enhance community accountability and accessibility and provide urgency to implementation of
54 the Res. 556 recommendations.

55 NOW THEREFORE BE IT RESOLVED, Dane County shall add 5 new voting members to the
56 Criminal Justice Council, including three persons who have been directly impacted by the
57 criminal justice system, at least one of whom is a person of color who has been previously
58 incarcerated, and two persons with expertise in behavioral health;

59 BE IT FURTHER RESOLVED, the Dane County Criminal Justice Council shall develop a
60 decarceration plan, no later than July 31, 2020, informed by the communities most impacted by
61 incarceration, to reduce the average daily population of the jail by 350 persons-- from 755 to
62 405-- no later than June 30, 2025;

63 BE IT FURTHER RESOLVED, the County shall allocate up to \$10M to address imminent health
64 and safety needs in the jail facility on the 6th and 7th floor of the City-County Building in 2020
65 during the decarceration planning process.

66 BE IT FURTHER RESOLVED, the decarceration plan shall evaluate and make
67 recommendations on implementation of decarceration strategies, including but not limited to the
68 following:

- 69 1. Interventions to stabilize and provide supportive housing to persons identified as the
70 most frequently incarcerated in Dane County ("familiar faces") to divert their
71 incarceration;
- 72 2. The development of 350 permanent supportive housing units within five years for
73 persons who have experienced homelessness and incarceration;
- 74 3. The development of one or more culturally relevant community-based crisis,
75 assessment, and resource centers and/or programs focused on supporting individuals in
76 the community and diverting individuals with mental health, substance abuse, or
77 developmental disability issues from being booked and admitted to the jail. Such a
78 center/program should include:
 - 79 a. The capacity to serve as jail diversion by accepting and safely managing referrals
80 of individuals taken into custody by law enforcement who believe (or based on
81 prior contacts know) the individual has mental health issues; and
 - 82 b. The capacity to assess and address the immediate mental health need(s) of the
83 individual referred by law enforcement or at subsequent points of the
84 justice/custody process and link the individual with ongoing services and
85 supports;
 - 86 c. The capacity to house individuals for a time period as determined by medical or
87 health professionals; and
 - 88 d. The capacity to serve as a non-crisis resource center for individuals and families
89 seeking assistance in dealing with mental health issues.
- 90 4. Continued expansion of the Community Restorative Court.
- 91 5. Continued expansion of alternative sentencing, including community service and work
92 diversion.
- 93 6. Agreements with the Department of Corrections to have more persons released pending
94 revocation investigations.
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- 96 7. A racial equity analysis of all policies related to signature bonds, bail determinations, and
97 eligibility for electronic monitoring.
98 8. A court calendar which includes initial hearings/bail hearings on weekends and holidays
99 to reduce length of stays.
100 9. Work with the City of Madison Police Department and other law enforcement agencies in
101 Dane County to develop and implement policies, practices, resources, and training that
102 limit the use of arrest to cases in which it is required by law or necessary for protection of
103 the public or suspect and encourage the use of alternatives.
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105 BE IT FURTHER RESOLVED, that County Board and Criminal Justice Council staff shall
106 determine what additional resources are needed for the planning process and provide a
107 preliminary planning schedule to the County Board no later than October 15, 2019.
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109 BE IT FURTHER RESOLVED, the plan shall include potential revenue sources, including but
110 not limited to savings realized from decreasing security services staffing needs.

111 BE IT FURTHER RESOLVED, the plan shall include a referendum to raise the levy to support a
112 significant investment in behavioral health system enhancements and supportive housing
113 services in the operating budget of Dane County.

114 BE IT FINALLY RESOLVED, that the Criminal Justice Council shall provide a report of the
115 decarceration plan to the Dane County Board no later than August 31, 2020.
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