

1 2020 RES-180(As Amended by P&F on 10-5-2020)

2 ENDORSING CRIMINAL JUSTICE REFORM
3 AND DEVELOPING BOTH A TRIAGE AND RESTORATION CENTER
4 AND A COMMUNITY JUSTICE CENTER
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6 Over the past dozen years, Dane County has relied on community-involved work groups and
7 committees to identify approaches to criminal justice reform. While many recommendations have
8 been implemented, the county continues to struggle with racial disparities and inequitable access
9 to justice.

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11 The COVID-19 pandemic hastened system-wide innovation to reduce the number of individuals
12 incarcerated or otherwise involved with the criminal justice system. This reduction occurs at a
13 unique moment in our nation's efforts to reform its broken criminal justice system and has
14 intensified, locally, the need for innovation and smart justice.

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16 Smart justice in Dane County will provide a way to address criminal justice issues that solve the
17 problems of crime rather than simply punishing individuals: it will addresses the profound
18 connections of crime to mental health, addiction, employment, education, housing and social
19 inclusion. Smart justice in Dane County will support victims and protect families, empower
20 communities and improve safety through programs proven to reduce crime and help people
21 lead fulfilling lives.
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23 A key reform, discussed locally and increasingly embraced by communities throughout the
24 country, is a triage and restoration center to address mental health challenges both inside and
25 outside the criminal justice system. A triage and restoration center is generally grounded in the
26 concept of "no wrong door" and individuals can access services by walking in, a referral from a
27 community partner, or be brought by law enforcement. Care available at a triage and restoration
28 center should be accessible, compassionate, and equitable.

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30 Over the coming six months, a site should be identified and plans developed for implementation
31 of a triage and restoration center to open by 2023. This is consistent with Dane County values of
32 restoration, collaboration, and effective use of resources.

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34 At the same time, planning and piloting of a community justice center provides a vehicle for smart
35 justice in Dane County. A community justice center embraces a holistic approach to respondents,
36 victims, and the larger community. In addition to a community court, the center would feature
37 access to wrap around services including education, housing, peer mentoring, and restorative
38 justice.
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40 A multi-faceted package of reforms builds upon current and past analysis and recommendations
41 and relies on collaboration among criminal justice system officials. The goal of this package is to
42 eliminate racial disparities and create strong alternatives to incarceration throughout the system,
43 including diversion of those in mental health crisis from jail.

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45 NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors encourages
46 the Criminal Justice Council take the following steps to reform the criminal justice system:

47 **Diversion**

48 1. Expand use of the Community Restorative Court (CRC), in terms of the age of individuals
49 referred, the scope of charges, and the communities participating.

50 2. Encourage the Criminal Justice Council-Racial Disparities Subcommittee to continue
51 planning and development of a Community Justice Center using the \$100,000 already
52 included in the 2020 Dane County budget for this purpose, to include community
53 engagement, exploration of service models, site exploration, costs and revenue sources,
54 and make recommendations to the Criminal Justice Council by June 2021.

55 3. Encourage the Criminal Justice Council-Behavioral Health Subcommittee to work with the
56 City of Madison staff on an implementation plan for a pilot project for emergency response
57 with a team of medical and crisis workers, rather than law enforcement, for those
58 experiencing a mental health issue.

59 4. A) Request the Criminal Justice Council-Behavioral Health Subcommittee to develop a
60 concept plan, to include services, a space plan, and identification of costs and resources,
61 for a triage and restoration center; B) the Department of Administration shall identify space
62 to lease or purchase for a triage and restoration center; C) once funding is included in the
63 capital budget, the Department of Human Services shall engage a consultant with
64 experience designing inclusive spaces so that the triage and restoration center services and
65 space are informed by a racial equity lens with the intent that the center open by 2023; and
66 D) encourage the Criminal Justice Council-Racial Disparities Subcommittee to facilitate
67 community input; and the two CJC subcommittees shall coordinate with one another and
68 report to the Criminal Justice Council by March 2021.

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70 5. Call on local law enforcement agencies to outline changes in practice to limit arrests during
71 the COVID-19 pandemic and identify how these practices can be continued and improved.

72 **Charging and Sentencing:**

73 1. Request the District Attorney, Judges, Clerk of Courts, and Sheriff, in addition to the
74 Wisconsin Department of Corrections, to outline changes in response to the COVID-19
75 pandemic and identify initiatives to continue and provide monthly updates to the Criminal
76 Justice Council.

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78 ~~2. Develop and publish in consultation with best practices from across the country sentencing~~
79 ~~guidelines for all offenses that limit incarceration and instead focus on restorative justice that~~
80 ~~helps victims and the community. Urge Criminal Justice Council to suggest sentencing~~
81 ~~guidelines for all offenses that limit incarceration and instead focus on restorative justice that~~
82 ~~helps victims, respondents and the community.~~

83 3. Urge the Criminal Justice Council-Pretrial Subcommittee to develop a plan regarding
84 implementation of virtual weekend court by March 2021.

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86 4. Urge changes in criminal court processing to moderately reduce length of stay for people
87 who are sentenced, and those waiting to be transferred to the Wisconsin Department of
88 Corrections.

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90 5. Strongly encourage the Courts to create a Mental Health Court based on national best
91 practices.

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93 **Jail and Department of Corrections:**

94 1. Urge the Wisconsin Department of Corrections to hold revocation hearings outside of the jail
95 and review policy and technological changes that occurred during the COVID-19 pandemic
96 and continue this approach.

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98 2. Support the County Board's Public Protection and Judiciary Committee - Fines and Fees
99 Subcommittee in reviewing jail-related fines and fees.

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101 3. Support the Dane County Sheriff's Office in its effort to amplify the new role of the jail
102 population manager and convene weekly meetings with key stakeholders in order to safely
103 reduce jail population.

104 **Transparency:**

105 1. Urge all Dane County law enforcement agencies to collect data on race for all traffic stops
106 and share the data with the Criminal Justice Council Research and Innovation Team on a
107 quarterly basis for posting on the CJC website.

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109 2. Work with the County Executive and the Dane County Department of Administration to hire
110 the information management position included in the 2020 budget to work on criminal justice
111 technology applications and dashboards to hasten the completion of regularly updated
112 information.

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3. Partner with the University of Wisconsin System annually to hire a student to serve as the Criminal Justice Council data apprentice.

4. ~~Request~~Direct the Criminal Justice Council Behavioral Health Subcommittee to present a draft plan on the triage and restoration center to the Health and Human Needs Committee for input prior to its report to the Criminal Justice Council ~~in March 2021.~~

5. The County Board is committed to inclusion of funding in the 2021 capital budget for the triage and restoration center.

6. The County Board is committed to pursuing a ~~funding~~ partnership with the City of Madison ~~in the 2021 operating budget~~ for implementing the pilot project for non-law-enforcement emergency response for those experiencing a mental health crisis.

~~7. The County Board directs Corporation Counsel to provide the County Board with a legal opinion on inclusion of language in County contracts with municipalities to require the following: a) data collection on race for all traffic stops by the municipality's law enforcement agency and report it to the CJC Research and Innovation Team for quarterly posting online; and b) participation, upon request by the County, in the Community Restorative Court.~~

~~8.7. Encourage the Dane County Chiefs Association and Dane County Sheriff Office to Ppublish an inventory of local law enforcement use-of-force policies throughout the County.~~

~~9.8. Encourage the Criminal Justice Committee to Ppublish racial disparity and incarceration statistics on the Dane County website for all actors in the criminal justice system. Begin by publishing incarceration statistics including racial disparity statistics for all Dane County judges.~~

BE IT FINALLY RESOLVED that the Criminal Justice Council be encouraged to seek out technical assistance and partnership from local and national leaders to support these reforms.