

ENDORSING CRIMINAL JUSTICE REFORM
AND DEVELOPING BOTH A TRIAGE AND RESTORATION CENTER
AND A COMMUNITY JUSTICE CENTER

Over the past dozen years, Dane County has relied on community-involved work groups and committees to identify approaches to criminal justice reform. While many recommendations have been implemented, the county continues to struggle with racial disparities and inequitable access to justice.

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

Smart justice in Dane County will provide a way to address criminal justice issues that solve the problems of crime rather than simply punishing individuals: it will address the profound connections of crime to mental health, addiction, employment, education, housing and social inclusion. Smart justice in Dane County will support victims and protect families, empower communities and improve safety through programs proven to reduce crime and help people lead fulfilling lives.

A key reform, discussed locally and increasingly embraced by communities throughout the country, is a triage and restoration center to address mental health challenges both inside and outside the criminal justice system. A triage and restoration center is generally grounded in the concept of "no wrong door" and individuals can access services by walking in, a referral from a community partner, or be brought by law enforcement. Care available at a triage and restoration center should be accessible, compassionate, and equitable.

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

At the same time, planning and piloting of a community justice center provides a vehicle for smart justice in Dane County. A community justice center embraces a holistic approach to respondents, victims, and the larger community. In addition to a community court, the center would feature access to wrap around services including education, housing, peer mentoring, and restorative justice.

A multi-faceted package of reforms builds upon current and past analysis and recommendations and relies on collaboration among criminal justice system officials. The goal of this package is to eliminate racial disparities and create strong alternatives to incarceration throughout the system, including diversion of those in mental health crisis from jail.

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

Diversion

- 42 1. Expand use of the Community Restorative Court (CRC), in terms of the age of individuals
43 referred, the scope of charges, and the communities participating.
- 44 2. Encourage the Criminal Justice Council-Racial Disparities Subcommittee to continue
45 planning and development of a Community Justice Center using the \$100,000 already
46 included in the 2020 Dane County budget for this purpose, to include community
47 engagement, exploration of service models, site exploration, costs and revenue sources,
48 and make recommendations to the Criminal Justice Council by June 2021.
- 49 3. Encourage the Criminal Justice Council-Behavioral Health Subcommittee to work with the
50 City of Madison staff on an implementation plan for a pilot project for emergency response
51 with a team of medical and crisis workers, rather than law enforcement, for those
52 experiencing a mental health issue.
- 53 4. A) Request the Criminal Justice Council-Behavioral Health Subcommittee to develop a
54 concept plan, to include services, a space plan, and identification of costs and resources,
55 for a triage and restoration center; B) the Department of Administration shall identify space
56 to lease or purchase for a triage and restoration center; C) once funding is included in the
57 capital budget, the Department of Human Services shall engage a consultant with
58 experience designing inclusive spaces so that the triage and restoration center services
59 and space are informed by a racial equity lens with the intent that the center open by 2023;
60 and D) encourage the Criminal Justice Council-Racial Disparities Subcommittee to
61 facilitate community input; and the two CJC subcommittees shall coordinate with one
62 another and report to the Criminal Justice Council by March 2021.
- 63 5. Call on local law enforcement agencies to outline changes in practice to limit arrests during
64 the COVID-19 pandemic and identify how these practices can be continued and improved.

65 **Charging and Sentencing:**

- 66 1. Request the District Attorney, Judges, Clerk of Courts, and Sheriff, in addition to the
67 Wisconsin Department of Corrections, to outline changes in response to the COVID-19
68 pandemic and identify initiatives to continue and provide monthly updates to the Criminal
69 Justice Council.
- 70 2. Suggest sentencing guidelines for all offenses that limit incarceration and instead focus on
71 restorative justice that helps victims, respondents and the community.
- 72 3. Urge the Criminal Justice Council-Pretrial Subcommittee to develop a plan regarding
73 implementation of virtual weekend court by March 2021.
- 74 4. Urge changes in criminal court processing to moderately reduce length of stay for people
75 who are sentenced, and those waiting to be transferred to the Wisconsin Department of
76 Corrections.
- 77 5. Strongly encourage the Courts to create a Mental Health Court based on national best
78 practices.

79 **Jail and Department of Corrections:**

- 80 1. Urge the Wisconsin Department of Corrections to hold revocation hearings outside of the jail
81 and review policy and technological changes that occurred during the COVID-19 pandemic
82 and continue this approach.
- 83 2. Support the County Board's Public Protection and Judiciary Committee - Fines and Fees
84 Subcommittee in reviewing jail-related fines and fees.
- 85 3. Support the Dane County Sheriff's Office in its effort to amplify the new role of the jail
86 population manager and convene weekly meetings with key stakeholders in order to safely
87 reduce jail population.

88 **Transparency:**

- 89 1. Urge all Dane County law enforcement agencies to collect data on race for all traffic stops
90 and share the data with the Criminal Justice Council Research and Innovation Team on a
91 quarterly basis for posting on the CJC website.
- 92 2. Work with the County Executive and the Dane County Department of Administration to hire
93 the information management position included in the 2020 budget to work on criminal justice
94 technology applications and dashboards to hasten the completion of regularly updated
95 information.
- 96 3. Partner with the University of Wisconsin System annually to hire a student to serve as the
97 Criminal Justice Council data apprentice.
- 98 4. Encourage the Dane County Chiefs Association and Dane County Sheriff Office to publish
99 an inventory of local law enforcement use-of-force policies throughout the County.
- 100 5. Publish racial disparity and incarceration statistics on the Dane County website for all actors
101 in the criminal justice system.

102 **NOW THEREFORE, BE IT FURTHER RESOLVED**

- 103 1. Request the Criminal Justice Council Behavioral Health Subcommittee to present a draft
104 plan on the triage and restoration center to the Health and Human Needs Committee for
105 input prior to its report to the Criminal Justice Council.
- 106 2. The County Board is committed to inclusion of funding in the 2021 capital budget for the
107 triage and restoration center.
- 108 3. The County Board is committed to pursuing a partnership with the City of Madison for
109 implementing the pilot project for non-law-enforcement emergency response for those
110 experiencing a mental health crisis.

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