Sub 1 to 2021 RES-320 AS AMENDED

AMENDING THE 2022 BUDGET AND AUTHORIZING BORROWING TO INCREASE FUNDING FOR THE DANE COUNTY JAIL CONSOLIDATION PROJECT

4

5

1

2

3

BACKGROUND

- 6 Dane County has budgeted and authorized borrowing for \$150 million to consolidate the current
- 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,
- outdated facility on the 6th and 7th floor of the City-County Building.

11 PRIMARY OBJECTIVES

- 12 Years of study and engagement on this project resulted in an ambitious list of 10 objectives. While
- all of these objectives are important, given ever-increasing costs, the scope must address the
- three most important goals, while striving to address the others as possible. The three key objectives are:
 - Replace outdated cellblocks in the City County Building;
 - Eliminate or greatly reduce solitary confinement; and
 - Provide adequate medical and mental health space.

18 19 20

21

22

23 24

16

17

IMPACT OF THE PANDEMIC

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

25 26 27

28

29 30

31

32

33

34 35

36 37

38

39 40

41

42

43

44

CHANGE IN SCOPE AND BUDGET

- Recent market changes mean that the facility as currently designed will cost considerably more that the authorized budget. Given criminal justice system and jail management changes implemented in the pandemic environment, and the more narrowly focused goals of project, the project should be revised as follows to mitigate cost overruns:
 - 1. Build a 6 floor tower;
 - 2. Retain the Ferris Center for Huber resident use, with the intention of developing an alternative to the Huber system within three years;
 - 3. Do not include Huber housing in the Public Safety Building;
 - 4. Prioritize centralized in-person visitation in the project, but keep in-person visitation on higher security floors in the tower if possible within the budget;
 - 5. Incorporate cost saving items identified if needed to meet the budget, such as elimination of the food prep area, elimination of parking in the tower sub basement and elimination of staff office remodel; and
 - 6. Complete as much of the Public Safety Building renovation as possible as proposed by the design team and approved by the County Board with the budget provided
- With this approach, the City County Building jail space would be eliminated, Huber resident space would not be required in the Public Safety Building, and the consolidated facility would provide no

- 45 more than 825 beds to meet necessary resident classification, as the Dane County Sheriff's Office
- deems appropriate, including medical and mental health beds.
- 47 Based on the best estimates available, there is an interest in amending the 2022 budget and
- 48 authorizing an additional \$16 million in borrowing to bring this project to completion with the
- 49 changes delineated above.
- 50 COMMITMENT TO REFORM AND TO DECREASED INCARCERATION
- Criminal justice reform is multi-jurisdictional, with municipal, county, state, and federal
- 52 government playing key roles. The Dane County Criminal Justice Council brings together the key
- stakeholders and, along with its three subcommittees, has initiated work on a number of reforms.
- 54 Further data analysis and sustained intergovernmental cooperation are necessary to address
- outstanding questions and fully realize the potential of reform.

56

- Additional multi-jurisdictional approaches to decrease the jail population exist. For example, the Crisis Triage Center should decrease average daily population by approximately 25. The use of
- a screening tool by law enforcement could result in yet more diversions from jail to mental health
- support services. At the same time, the Department of Corrections largely determines who, of
- 61 those recently sentenced or on probation or parole holds, remain in the jail and for how long. A
- 62 regular population review process with the Department of Corrections to identify and address
- those who are held for technical violations of probation or parole without a new criminal charge
- could further decrease the number of residents under roof; on October 19, 2021 there were 46
- 65 people who met this criteria.
- Reform of the Huber system also offers potential for decreasing the jail population. It is the
- 67 Sheriff's purview to determine jail classification for each jail resident maximum, medium, or
- 68 minimum security in addition to any special needs and/or eligibly for special programs, which
- 69 includes release on electronic monitoring and participation in the Huber program. Changes to
- the county's approach to Huber, with the development of a justice system services section
- 71 within the Department of Human Services, could result in fewer individuals held in jail—and
- 72 potentially better outcomes for the individual's health and wellbeing.
- 73 There is a willingness on the part of the County Board to consider funding evidence-based
- practices such as the use of tablets to enhance visitation and programming opportunities, and
- 75 expanded electronic monitoring.
- 76 On-going evaluation of criminal justice system reforms will examine effectiveness and efficiency
- of approaches and guide future budget decisions. Measuring outcomes with accurate data will
- 78 ensure Dane County is investing in effective programming that reduces incarceration and
- 79 promotes individual and community health.
- NOW, THEREFORE, BE IT RESOLVED that the budgeted amounts in account CPSHRF 57037
- "Jail Consolidation" and CPSHRF 87974 "Borrowing Proceeds" be increased by \$16,000,000
- 82 BE IT FURTHER RESOLVED that for the purpose of financing the costs of completing the
- 83 consolidated jail project that consists of constructing a tower up to 6 stories and renovating the
- Public Safety Building to include no more than 825 beds, including the costs related to the
- 85 financing, the County Board authorizes the issuance of not to exceed \$16,320,000.00 general
- 86 obligation bonds for a 20 year term pursuant to Chapter 67 of the Wisconsin Statutes.
- 87 BE IT FURTHER RESOLVED that the Dane County Board of Supervisors urges the Dane
- 88 County Criminal Justice Council to routinize bi-annual reporting of the jail population including

- 89 charge, classification, and Length of Stay, as well as Department of Corrections probation and
- 90 parole Length of Stay, and Huber and CAMP participation.
- 91 BE IT FURTHER RESOLVED that the Dane County Board of Supervisors encourages the
- 92 Wisconsin Department of Corrections and the Dane County Sheriff's Office to hold weekly
- 93 meetings to review the status of those held on Department of Corrections technical violations
- 94 without a new charge.
- 95 BE IT FURTHER RESOLVED that the County Board urges the Dane County Criminal Justice
- 96 Council-Behavioral Health subcommittee to guide development of a future Justice Support
- 97 Services division to provide improved outcomes for those whose primary criminal justice
- 98 involvement was with behavioral health and/or substance use issues.
- 99 BE IT FURTHER RESOLVED that the County Board will work with the Dane County Criminal
- Justice Council to eliminate the Huber program by March 1, 2025 replacing it with a human
- services-based system, with quarterly reports on progress to the Health and Human Needs
- 102 Committee and the Public Protection and Judiciary Committee
- 103 BE IT FURTHER RESOLVED that the Dane County Board of Supervisors urges the Sheriff to
- develop an initiative to expand the use of tablets for visitation and programming for those who are
- incarcerated, and expand the use of electronic monitoring.
- BE IT FURTHER RESOLVED that the Dane County Board request the Dane County Criminal
- Justice Council to make monthly updates to the Dane County jail population demographic
- dashboard providing jail demographic statistics by gender, race, age, ethnicity, ADA status, and
- judicial status. It is further requested that the Sheriff's office provides monthly reporting on how
- many residents in the city county building floors six and seven are considered maximum security
- 111 residents.
- BE IT FURTHER RESOLVED that the Dane daily jail report produced by the Dane County
- Sheriff's office disaggregate the demographic statistics by gender, age, ethnicity, ADA status and
- iudicial status by residents under roof and those on CAMP
- 115 BE IT FINALLY RESOLVED that the office of the County Board of Supervisors retain the JFA
- institute to produce a report that recommends specific policy, practice and program reforms that
- would result in reductions of the jail population and minimize the use of incarceration. The
- consultant shall meet with stakeholders, including the Criminal Justice Council and its members,
- subcommittees, and staff, as well as other system and community stakeholders to gather input
- and potential solutions. The consultant shall also analyze the recommendations and jail
- project's effects on racial equity in Dane County. This report shall be presented by the
- consultant to the criminal justice council, the public protection and judiciary committee, and the
- 123 County Board of Supervisors by August 31, 2022. This report will be funded with \$75.000 of the
- 124 borrowing proceeds.
- Be it further resolved that the following accounts be adjusted in the Capital budget COBRDCAP
- NEW "JFA analysis" \$75,000 CPSHRF 57037 "Jail Consolidation" (\$75,000) and that a waiver
- of bid be granted to allow the county to contract with JFA for the analysis.

128

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