



Office of the County Board
Dane County Board of Supervisors
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September 3, 2020

TO: Members of the Dane County Board of Supervisors
FROM: Supervisor Analiese Eicher, Chair
SUBJECT: Opportunity for Criminal Justice Reform

As we continue to weather the social and financial impacts of the COVID-19 pandemic, and to hear the voices of those protesting police-involved violence and structural racism throughout society, I want to take this opportunity to discuss some of the major decisions that we, as local elected leaders, will address in the coming weeks and months.

The challenges of unemployment, housing and food insecurity, and the extreme weather events resulting from climate change also claim our attention and action, but it is the pending issue related to criminal justice reform that I want to discuss. As I see it, there are three threads to this topic which are woven together: the changes in policy and practice throughout the criminal justice system, because of the pandemic, which have resulted in a marked decrease in the number of individuals in the jail; the jail consolidation project; and the embrace and need for action on reform initiatives developed over the past half-dozen years by community-involved committees and workgroups.

The COVID-19 pandemic has been a case of crisis causing change; it has shown us where we can collaborate and partner in new ways, from law enforcement to the courts to corrections. As you may know, UW Madison Sociology Professor Eason recently completed an analysis for the Criminal Justice Council regarding the ramifications of COVID exposure and illness if the number of individuals in the jail had not been reduced markedly.

<https://dane.legistar.com/View.ashx?M=F&ID=8709837&GUID=35537DC6-BC6C-4395-AFB6-48E37A311F5C>

Work is underway to analyze the impacts of action throughout the criminal justice system that made the decrease in the number of individuals in jail possible, and to determine what policies and procedures can continue post-pandemic. The Criminal Justice Council website includes a policy response matrix which summarizes some of the actions across the system: <https://cjc.countyofdane.com/documents/COVIDPolicyResponse.pdf>. Additionally, the JFA Institute is completing analysis for the Criminal Justice Council regarding approaches to reduce both the jail population and the racial disparities in that population.

Clearly, it is responsible and ethical public policy to determine how to best keep the jail population low while meeting the needs of public safety. That said, we need to understand that the court system has not been in session over the past 5-plus months and has a backlog of cases; that has played a role in the

lower average daily jail population. We need to anticipate, therefore, that the numbers of individuals in the jail will likely climb once court resumes.

With the reduction in jail population because of forced innovation and collaboration due to COVID, there are questions whether our current plan to consolidate the three jail facilities (Public Safety Building, City-County Building, and Huber) is still the right path. While much has changed this year, one thing that remains the same is that the City-County Building jail is inhumane and dangerous to individuals in our care, dangerous to workers, and does not reflect the values and environment that we strive for as a county. Doing nothing is not an option.

I know there is interest in pausing the project and making sure the building appropriately serves Dane County's needs. Let me share that those working on the jail project had thought they would need more funding to make the project meet the requirements set forth by the Board. This project needs to come in at or under budget. The design team and architects are now working to not only keep the project in budget, but also to adapt the project to be built in a way that space can be converted from beds to program space when we are able to achieve enough long lasting systems change to permanently decrease the jail population.

Reworking the design to meet cost constraints will take time and the contracts for the jail consolidation project will be delayed several months, to the Spring of next year. Some have indicated an interest in voting on the jail. As has always been the process, the County Board will be voting on the jail consolidation project contracts. Meanwhile, I am asking that the Public Protection & Judiciary Committee, the Public Works & Transportation Committee, and the Personnel & Finance Committee be given regular updates over the next six to eight months.

But, to be clear, the coming months are not a time of waiting for the next jail vote, but rather a time to embrace and push forward reforms including behavioral health initiatives like CAHOOTS/STAR and a triage and restoration center, and further restorative justice measures like a community justice center.

We have heard repeatedly from other jurisdictions across the country that have been able to break down silos and work together to build a stronger, fairer, more just community. I know that Dane County – including government, health systems, businesses, and community -- can do the same.

It is with urgency and a call to action to all sectors of our community that the Board must look to implementing these key behavioral and restorative initiatives. I also recognize that major structural change will not happen overnight; it requires a heavy and sustained lift.

Let's use our time intentionally. Let's implement reforms and restructure systems where we can, as included in 2020 RES-180 *Endorsing Criminal Justice Reform and Developing both a Triage and Restoration Center and a Community Justice Center*. Let's use our collective power as a Board to influence our partners both in these systems and outside of these systems to build our vision of a truly just Dane County.

A handwritten signature in cursive script, appearing to be the name of the speaker, located at the bottom of the page.