

# 2020 Year In Review

**2020 Criminal Justice Council Members:** Analiese Eicher, *Chair of Board of Supervisors*; Joe Parisi, *County Executive*; Ismael R. Ozanne, *District Attorney*; Dave Mahoney, *Sheriff*; Carlo Esqueda, *Clerk of Courts*; Honorable Valerie Bailey-Rihn, *Presiding Circuit Court Judge*. **Advisory Members:** Aaron Chapin, *Chief of Shorewood Hills Police*; Catherine Dorl, *Public Defender*; Troy Enger, *Department of Corrections Regional Chief*; John Patterson, *Assistant Chief of Madison Police Department*; Todd Meurer, *Municipal Judge*; Maureen McCarville, *Chair of Public Protection and Judiciary Committee*, Mayor Satya Rhodes-Conway, *Mayor, City of Madison*



## Criminal justice during a global crisis.

### Data-Driven Policymaking During the COVID-19 Pandemic

During a year of unprecedented challenges, the Dane County Criminal Justice Council (CJC) collaborated on a response to the COVID-19 pandemic that emphasized safety, decarceration, equity, and continuity of operations. Stakeholders commitment to data-driven justice enabled CJC members to make thoughtful and calculated decisions to reduce the spread of the virus in the Dane County criminal justice system and community.

Even during the pandemic, the CJC still made immense progress on a series of initiatives towards increased the behavioral health crisis-care continuum, pretrial services, and racial equity in criminal justice. Keep reading to learn what the CJC and its three subcommittees—Behavioral Health, Pretrial Services, and Racial Disparities—have accomplished in 2020!

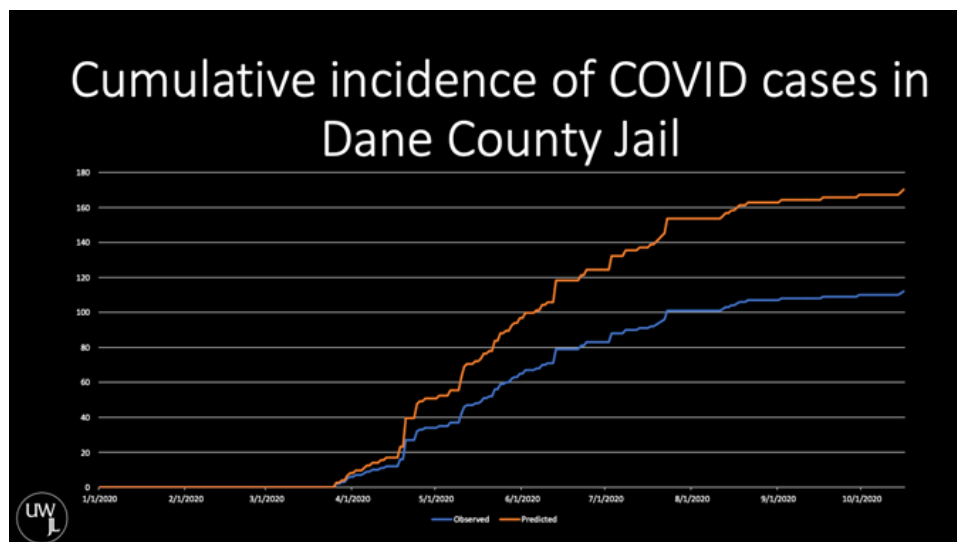
*CJC meetings are on the fourth Thursday of every month and are open to the public. Please visit our website or Google Calendar with information about how to attend future meetings. Additionally, because all CJC and CJC-subcommittee meetings were conducted online for the pandemic, you can watch the recordings of all meetings on our website.*

# CJC Member Agencies Respond to the COVID-19 Pandemic

CJC members and their agencies pivoted their policies and practices to ensure safety and minimize the spread of the virus during the COVID-19 pandemic. CJC members provided regular updates from May to December of 2020 to share and collaborate on innovative practices during the public health crisis. Policy shifts included: holding non-custodial hearings and court proceedings over video or teleconference, increasing electronic monitoring of Dane County Jail inmates, enabling police officers to practice discretion on serving warrants for low-level offenses, delaying scheduled jail reporting, using technology to communicate with individuals on supervision, and using data to inform policy decisions.

## Flattening the Curve in the Dane County Jail

Across the nation, correctional facilities have been devastated by the spread of COVID-19, with many jails and prisons emerging as hotspots for the virus. Dane County worked swiftly to minimize the impact of the virus. Through a collaboration with Professor John Eason of the University of Wisconsin-Madison Department of Sociology, the CJC was able to measure the impact of the policy changes and determine what would have happened if the CJC had not acted. Professor Eason determined that the cumulative incidence of COVID-19 cases in the Dane County Jail would have been approximately 1.5 times greater if Dane County had not decarcerated.



## County Board Passes Resolution Supporting Criminal Justice Reform

The Dane County Board of Supervisors passed holistic reform in the criminal justice system through Resolution 180. Resolution 180 identified eighteen focal points for reform in the areas of Diversion, Charging & Sentencing, Jail & Department of Corrections, and Transparency. Resolution 180 also authorized funding for the planning of the community justice center and the triage restoration center, in addition to collaborating with the City of Madison on a non-law-enforcement emergency response for behavioral health crises. These initiatives are fundamental to creating a more equitable criminal justice system; all initiatives are discussed in detail below. [Read the text to Resolution 180 at this link.](#)

# Commitment to Racial Equity

The CJC-Racial Disparities subcommittee continues its commitment toward increasing racial equity in all aspects of the justice system. This year, the subcommittee championed the potential creation of a Community Justice Center and examined data from five years of Community Restorative Court diversions. The subcommittee collaborates on initiatives designed to increase racial equity in both adult and youth justice systems.

In November 2019, the Dane County Board of Supervisors allocated \$100,000 to hire a consultant to begin the pre-planning of a community justice center. Despite the pandemic, the funds maintain dedicated to the preplanning of the community justice center. In preparation, the CJC hosted a town hall community conversation with national and local partners on community justice centers and the benefits of restorative justice. The RFP for the Community Justice Center was issued in January 2021. The CJC-Racial Disparities subcommittee will provide ongoing input to the planning process.

The Community Restorative Court (CRC) celebrated five years of supporting young adults in Dane County and commitment toward racial justice and equity. The CRC has grown in number and complexity of cases, and it recently moved to a new building to expand services. The CRC works on data management with national partner OpenLattice to improve data-driven decision-making and responsivity. In March 2020, The Bureau of Justice Assistance highlighted the CRC as a national model for restorative justice court best practices.

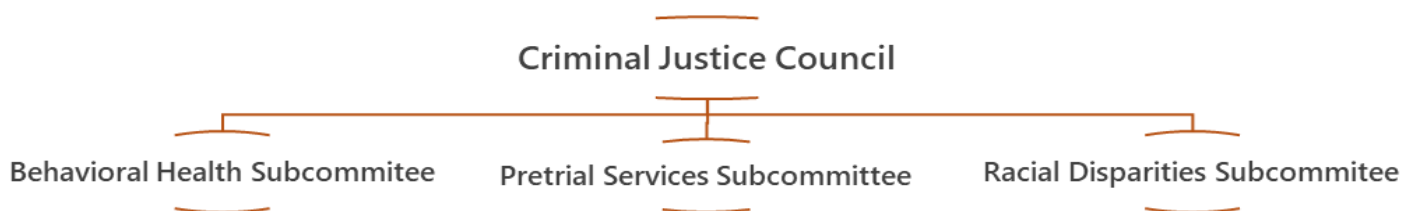
Additionally, the CJC hired JFA Institute to conduct a stress test of the Dane County Jail to determine what factors contributed to jail population size. The CJC contracted with JFA Institute to conduct an additional analysis of the jail stress test to determine racial disparities among the factors contributing to the jail population. That analysis was contracted by the CJC of Dane County and results will be shared in Spring 2021.

# Groundbreaking Initiatives in Criminal Justice and Behavioral Health

Starting in July 2019, the CJC-Behavioral Health subcommittee is the newest of the subcommittees, and this year it made enormous headway in creating a triage-restoration center. Using the Sequential Intercept Model, the CJC-Behavioral Health subcommittee is looking to improve behavioral health services at all intercepts within the criminal justice system.

The center could provide an alternative location to the emergency room or jail for individuals who experience behavioral health crisis in order to stabilize and connect to treatment options. Ideally, a center would operate with “no wrong door,” meaning that everyone can receive services, regardless of insurance or ability to pay. Such centers operate 24-hours a day, 365-days a year to provide constant access to individuals needing assistance. Focusing on short-term stabilization, crisis and restoration centers connect individuals to longer-term services. The Dane County Executive and Dane County Board of Supervisors authorized \$300,000 for the preplanning of this center. The CJC-Behavioral Health subcommittee will provide ongoing input into the planning process.

To further inform the community, the CJC and NAMI-Dane County hosted a town hall community conversation with national and local partners on community justice centers and the benefits of restorative justice. In this town hall, community members heard from and asked questions of Dr. Margie Balfour from the Pima County, AZ (Tucson) Crisis Res-



# Pretrial and Front-End Justice Research

The CJC-Pretrial Services subcommittee coordinates front-end justice initiatives across agencies. This year, the subcommittee continued research on the implementation of the Public Safety Assessment (PSA), expanded on the front-end justice data model, and supported permanent positions of PSA assessors to cement data-driven decision-making at all steps in the justice system.

In 2017, Dane County began to administer and study the Public Safety Assessment (PSA), a standardized risk assessment for pretrial release decision-making. In September, the CJC heard the interim report about the impact of the PSA in Dane County from the Access to Justice Lab at Harvard Law School. While it is too early for researchers to provide any conclusive findings, preliminary findings show that there is less variation among decisions made with the PSA than those made without the PSA. The final report will be released in 2022.

Additionally, MDRC, a nonprofit research organization and grant funder, selected Dane County for a dosage study of pretrial supervision. The study will examine the impact of different pretrial release conditions on court appearance rates. MDRC will present to the CJC-Pretrial Services subcommittee in early 2021.

## Historic Low Jail Population Numbers

Thanks to the collaborative efforts to decarcerate, the Dane County Jail reduced the rate of admissions to an historic 2,412 in 2019. Along with that reduction in admissions, the average daily population in the jail dropped to 718; an average that hasn't been on record since 1994. The CJC is investigating which policies had the greatest effect on the jail population and what policies can be sustained after the pandemic subsides.

