



Dane County

Minutes - Final Unless Amended by Committee

Criminal Justice Council

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Thursday, August 25, 2022

12:15 PM

Virtual Zoom Meeting: See top of agenda for
instructions on how to join the webinar or call in by
phone.

A. Call To Order

Staff: Colleen Clark-Bernhardt, Tamarine Cornelius, Sarah Jensen, Lindsay Menard

Meeting called to order by ESQUEDA at 12:15 pm.

Judge Hyland attending on behalf of Judge Remington

HYLAND JOINED AT 12:20PM

OZANNE JOINED AT 12:35PM

Advisory Members Present: CATHERINE DORL, BRENT PLISCH, TODD MEURER
(LEFT AT 1:45PM), JOHN PATTERSON (LEFT AT 1:30PM)

Advisory Members Excused: RICHELLE ANDRAE, TROY ENGER, SATYA
RHODES-CONWAY

Present 5 - KALVIN BARRETT, CARLO ESQUEDA, PATRICK MILES, ISMAEL OZANNE, and
JOE PARISI

B. Consideration of Minutes

1. [2022
MIN-167](#) MINUTES OF THE JUNE 23, 2022 CRIMINAL JUSTICE COUNCIL
MEETING

Attachments: [2022 MIN-167](#)

[6.23.22 CJC Registration Forms](#)

A motion was made by PARISI, seconded by MILES, that the Minutes be
approved the minutes. The motion carried 5-0-1 (ESQUEDA abstained).

2. [2022
MIN-235](#) MINUTES OF THE JULY 28, 2022 CRIMINAL JUSTICE COUNCIL
MEETING

Attachments: [2022 MIN-235](#)

[7.28.22 CJC Registration Forms](#)

A motion was made by ESQUEDA, seconded by BARRETT, that the Minutes be
approved the minutes. The motion carried by a voice vote.

C. Action Items

Potential action on the following motion:

The Criminal Justice Council approves the request to have the CJC staff work with Dane County Sheriff's Office staff to collect and visualize key data points regarding those booked into jail with serious mental illness

Set, Measure, Achieve initiative is intended to decrease the number of people with mental health conditions incarcerated in the Dane County Jail. This initiative is on a national level, with a national cohort, to collaborate on best practices. Dane County is one of 9 counties to be part of the national cohort. As a county, Dane has not been able to determine actions due to lack of availability of data. This initiative would need support from CJC to get these data together. This would also require to work with CJC Research & Innovation Team and the Dane County Sheriff's Office team to conduct additional research.

Discussion regarding staff capacity, given other ongoing projects. The timeline is approximately six months for data and research, and then CJC-BH could take action. CJC Research and Innovation team would take the lead; DCSO would act in a supporting role.

A motion was made by MILES, seconded by ESQUEDA, that the MOTION be adopted. The motion carried unanimously.

D. Presentations

1. Dane County Sheriff's Office Huber Program

Presented by Kerry Porter, Dane County Sheriff's Office

During COVID, people were unable to exercise Huber privileges due to risk of infection. The Ferris Center used to house the majority of people on, and during the pandemic they were able to close the facility. DCSO was able to keep operating the Custody Alternative Monitoring Program (CAMP). Now, DCSO is expanding CAMP eligibility to allow people a second chance to be on electronic monitoring, and everyone who is sentenced to Huber is eligible for CAMP program. This is a 3-year pilot program to see the successes, failures, and recidivism outcomes. In order to be eligible for CAMP release, the person must live within Dane County and have a permanent residence that they are allowed to reside in (both legally and interpersonally).

Discussion ensues. The Dane County model is compared to La Crosse county; one of the notable differences is La Crosse's Huber is through Department of Human Services, not through the Sheriff's Office. Question as to whether someone who had violations in the past would be eligible. Each new booking is a reset of eligibility to CAMP. Discussion of data collection and analysis. Discussion of potential unintended consequences, like causing additional charges through bail jumping or technical violations. Discussion of whether this change would impact sentencing; no impact is expected.

Discussion of start date. House arrest guidelines and limitations, and how this impacts people who are homeless. Opportunities for Human Services to offer support.

2. Examining the Impact of Emergency COVID-19 Decarceration Strategies on Jail Populations and Community Safety

*Presented by Dr. John Eason and Ammar Khalid, Urban Institute
Presentation attached*

Presentation regarding the opportunity to continue and expand the existing relationship with Dr. Eason and the Urban Institute. Review of Dr. Eason's previous research on COVID incidence in Dane County, both in jail and in community, distinction there. Emphasis on racial disparities and the impact of decarceration on COVID rate.

The proposed study building upon that work would examine Dane County and Durham (North Carolina) county's strategies to limit the jail population and their impact. The goals are to examine the process of implementing jail decarceration strategies, and to evaluate impact of reducing jail population. They would need administrative data to do this. This analysis can help to think broader about what public safety and public health mean together. It would also allow Dane County to identify the most effective strategies to reduce jail population and address racial disproportionality. Letter of agreement needed by next week.

[2022
PRES-103](#)

EXAMINING THE IMPACT OF EMERGENCY COVID-19 DECARCERATION STRATEGIES ON JAIL POPULATIONS AND COMMUNITY SAFETY

Attachments: [2022 PRES-103](#)

E. Reports to Committee

1. Initial Discussion About Challenges/Benefits of a Weekend Initial Appearance (IA) Court

Discussion about what weekend Initial Appearance court might look like. The CJC would need to define what weekend initial appearance is and then figure out a plan for doing a cost-benefit analysis to determine what it would really cost to implement weekend IA and what the net effect on the jail population would be on an ongoing basis. Dane County would also need to consider what this means during Marcy's law. Discussion regarding limited capacity of staff time. Interest in determining whether there are any specific weekends with extra misdemeanants due to large local events. The CJC also needs to review Court Rule 206. Discussion of the cost difference between in-person versus virtual IA, now that the technology is in place from the pandemic. The CJC would also need to complete an analysis to determine who is being arrested during these peak weekends and their demographics. For example, during football game days, 92% of arrests are of white people. Discussion of cost for different agencies. Discussion as to whether this will ultimately become a work group. The CJC will need additional stakeholders to weigh in. Research will need to determine disparities that could potentially arise from this action.

2. Community Court Grant Proposal

Presented by Colleen Clark-Bernhardt

The CJC recently applied to a BJA grant with a \$600,000 award over 48-month grant period to fund the community justice center initiative. If CJC received the grant, it would require a fast timeline for pilot, participants, and connections to CRC and social work wraparound services. Notification for the grant will be by October 2022. If Dane County does not receive grant, related work will continue on target populations and next steps.

[2022
PRES-102](#)

CONTINUING THE WORK TO CO-CREATE A COMMUNITY JUSTICE
CENTER INITIATIVE

Attachments: [2022 PRES-102](#)

F. Future Meeting Items and Dates

Next Meeting Date: September 22nd at 12:15pm

Future agenda items:

- Potential County Board resolution about CJC members and name;
- Presentation by Troy Enger and/or Hearing and Appeals division of Department of Corrections regarding P&P holds in the Dane County Jail.

G. Public Comment on Items not on the Agenda

Comment by Eric Howland.

H. Such Other Business as Allowed by Law

There is a County Board resolution regarding the composition of the Criminal Justice Council. It has not passed but is being discussed.

I. Adjourn

A motion was made by OZANNE, seconded by MILES, that the MEETING be adjourned. The motion carried unanimously.

Meeting adjourned at 1:53PM.

Minutes respectfully submitted by Sarah Jensen, pending subcommittee approval