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I. ACKNOWLEDGEMENTS

This report and the work of the Task Force could not have been completed without considerable support, assistance and contributions from others. We would like to thank all of those who made presentations to the Task Force for their time, their expertise, their patience with the never ending questions we asked, and the preparation and materials they provided.

A special thanks to Jean Jacobson, Wendell Anderson, Kenneth Lumpkin, and the entire Racine County Board for having the foresight to create the Task Force, and the will to follow through.

A special thanks to Andrea Bumpers of the Racine County Office of the County Executive for her support and the logistics of arranging meeting space, providing public notice of meetings, mailing reports to Task Force members, and the many other tasks she provided to the Task Force.

A special thanks to Robin Kordus, Division of Community Corrections for her assistance in making copies of assignments and reports and countless revisions so that members of the Task Force could have timely hard copies for review.

A special thanks to the Racine County Sheriff's Office for "loaning" us Lt. Rodney Bender to compile the minutes of the Task Force meetings, and provide us with his expertise and knowledge on law enforcement issues.

A special thanks for the input of Attorney Jack Cabranes, with his insights into the criminal justice system and the Hispanic community.

The findings and recommendations contained in this report represent a consensus of the Task Force and our best efforts at addressing the expectations of Resolution 2002-66 that established this Task Force. However, by design, members of the Task Force held widely divergent views on a number of issues. Throughout this difficult and often complex process of sifting through the volumes of information, reports and discussions, the Task Force was resolute in its determination to gain an understanding of the criminal justice process and produce a report that would provide the Racine County Board and the citizens of Racine County with a focus on what we believe to be the most critical issues.

The Task Force believes that resolution of many of the issues facing the criminal justice system, especially overcrowding in the County Jail cannot be delayed any longer. "There are no zero cost options" and failure to address these issues, regardless of which direction is taken, would be indefensible.

Racine County Citizens Criminal Justice Advisory Task Force

CO-CHAIRMEN:

Dennis Danner
Dr. Jackson Parker

MEMBERS:

Rev. Elliott Cohen
Shaphan Coleman
Rev. Joan Jacobson
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II. RESOLUTION NO. 2002-66

July 23, 2002

RESOLUTION BY THE PUBLIC PROTECTION AND JUSTICE SYSTEM COMMITTEE ESTABLISHING A CITIZENS' CRIMINAL JUSTICE ADVISORY TASK FORCE

To the Honorable Members of the Racine County Board of Supervisors:

WHEREAS, various citizens in the community have requested that a Citizens' Criminal Justice Advisory Task Force be created to study the criminal justice system including why the present Racine County Jail continues to be over-crowded despite an increase in total beds from 1981 of 451% while the population in Racine County has increased only 7.9% since 1980.

BE IT RESOLVED by the Racine County Board of Supervisors that a Citizens' Criminal Justice Advisory Task Force is established with the purpose of presenting a clear picture of the current criminal justice systems in order to provide taxpayers, criminal justice practitioners, as well as elected and appointed decision-makers with analytical rather than anecdotal information for use in developing and evaluating proposals affecting the criminal justice system within Racine County and shall specifically have the following goals:

1. Develop a thorough understanding of who is arrested and determine the number and characteristics of arrested persons who are (a) detained; or (b) cited with an order to appear in court.
2. Develop an understanding of (a) persons admitted to the jail; (b) the characteristics of people released from the jail and their lengths of jail stay; (c) a picture of how bed space is being utilized, (jail population snap shot).
3. Develop an understanding of how cases are processed from arrest to final disposition, particularly of persons who are spending time in the jail system and develop a matrix by offense which relates sanctions to the offense.
4. Study and evaluate the findings of the two recent jail study reports: the PONI Report and the Carter-Goble Report.
5. Focus on such activities as:
 - A. Planning as well as developing and tracking strategies.

- B. Interviewing representatives from the criminal justice system, public/private social agencies, former inmates, and concerned citizens.
- C. Critiquing and analyzing information supplied by witnesses and gathered through research.
- D. Evaluating the written and oral status reports from the Task Force.
- E. Identifying the strengths, weaknesses, opportunities and threats in the system and its service providers.
- F. Researching the need for building/capital investments, the availability and use of alternative programs instead of incarceration.
- G. Surfacing the strategic issues that will impact future plans.
- H. Developing community standards, e.g. "Alternative programs instead of Incarceration."
- I. Forwarding progress and final reports to the Public Protection and Justice System Committee and the County Executive.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that:

1. The Citizens' Criminal Justice Advisory Task Force shall consist of 12 to 15 independent, critical-thinking citizens who are knowledgeable about the community who are to be appointed by the Racine County Executive and confirmed by the County Board.
2. The term of the Citizens' Criminal Justice Advisory Task Force shall be for a period of twelve months and the Task Force shall complete its work by August 1, 2003.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that said Task Force is directed to meet monthly and that said meetings shall be conducted in compliance with the Wisconsin Open Meetings Law.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the following agenda with completion dates for reports to the Public Protection and Justice System Committee is set by the Racine County Board:

| <u>Topic</u> | <u>Deadline</u> |
|------------------|-----------------|
| Needs Assessment | within 60 days |

| | |
|--|-----------------|
| Users Assessment | within 120 days |
| Best Practices in other communities | within 180 days |
| Diversion, prevention, and recidivism issues | within 240 days |
| Final recommendations for consideration | within 360 days |

III. INTRODUCTION

On July 23, 2002, the Racine County Board passed the before mentioned resolution, creating the Racine County Citizen's Criminal Justice Advisory Task Force. This action officially created the Task Force as an agency of the County Board. Former County Executive Jean Jacobson solicited membership to the committee. Dennis Danner and Dr. Jackson Parker agreed to serve as co-chairs; creating the desirable situation of having one chair from within the criminal justice system and one from the outside.

Dennis Danner and Dr. Parker met with Wendell Anderson, County Board Chairman, Kenneth Lumpkin, Chairman of the Public Protection and Justice System Committee, County Executive Jacobson, and Assistant Andrea Bumpers, Executive and Legislative Liaison to gain further understanding of the charge to the Task Force. The Task Force found the charge to be broad, at times vague, and extremely challenging for a citizens' group without significant staff support. Nevertheless, the Task Force was honored to take up the challenge, recognizing the importance of the issues. As the Task Force got into its work, it was only reinforced in its feelings about the importance and the complexity of the charge.

It would be safe to say that the Task Force members both inside and outside of the criminal justice system are now better informed than most in Racine County. Even so, the system is amazingly complex, and no one, even the professionals, feels they have total understanding.

An extraordinary amount of print material was examined; a single copy stack of the material stands several feet high. A great amount of testimony was heard (see Appendix X for a list of Presenters and list of documents reviewed).

Some key insights can be made, that will suggest the overall thrust of this report:

- The criminal justice system is extraordinarily complex.
- Some of the complexity can be streamlined.
- Some of the complexity is necessary for the system to operate in upholding basic principles of American justice.
- No one has executive power or oversight for the entire system, except perhaps the citizens.
- However, citizens are not well-informed about the system.
- Improved efficiency, economic and otherwise, along with improved justice can only come from **voluntary cooperation** by all the players, and especially the leadership, within the system.
- No laundry list of recommendations, from which people can pick and choose at whim, will work. Cooperative mechanisms, including planning, come first; the other recommendations are all directions that need to be considered in planning, more or less simultaneously.

- Jail crowding is a symptom of many complex interacting forces. The agencies that get publicly criticized the most for jail crowding and the potential for liability therein (the Sheriff and the County Board), have the least control over who is in the jail and for how long.
- The criminal justice system is a true system in the sense studied and understood by such scientific disciplines as systems dynamics and systems thinking. No one understands the criminal justice system in Racine County in such terms. Nevertheless, these disciplines are the most likely to show where the most effective leverage points for improvement lie.
- The criminal justice system is linked to and influenced by other systems in the County, i.e., schools, business, and employment. Looking at current figures and projections from the linked systems, one sees troubling future potential for even greater strain on the criminal justice system and the need for incarceration facilities. (Refer to the Socioeconomic and Demographic note following for support of this assertion.)

As a result of our studies, there are a number of specific assertions we can make:

We Know:

- that there is a need to immediately address the unsafe conditions of the jail sally port and intake/booking area, which poses a significant public safety risk to jail staff, law enforcement, visitors and inmates.
- that there is no county-wide criminal justice coordination that includes **all** the key members needed to develop the mission, vision, priorities, and funding that is needed, based on a realistic assessment of what Racine County community values are regarding criminal justice decisions.
- that our efforts to get a basic understanding of who is arrested and who is jailed and why, were complicated by a disconnected system of information, un-retrievable data and the lack of a centralized database. All elements within the criminal justice system have their own information or database but there does not appear to be much cooperation between elements of the criminal justice system in sharing information.
- that there are offenders who can be and have been safely released or kept in the community but there is no agreement within the CJS as to who these offenders are and there is no use of validated risk assessment tools to help make judgments at the key decision points such as arrest, arraignment, prosecution, adjudication or sentencing.
- that the alternatives to incarceration in Racine County, while, as greatly expanded by former Sheriff William McReynolds, serve as a model for other communities, nevertheless are inadequate, under-funded, and lack measurable performance objectives.
- that there are inmates in the County Jail with mental and physical health needs and language barrier issues that cannot be and are not being properly addressed given the overcrowded conditions of the jail. And, we know that the policy of the

Racine County Human Services to not provide mental health services to any citizen who has pending charges, regardless of whether he/she is in or out of custody, is counter-productive.

- that many other states and communities within Wisconsin face similar problems of jail overcrowding. Some have educated themselves on how to address the problem and have taken proactive steps for resolution, which suggest possible positive options for Racine's consideration.
- that when the 75 bed Probation and Parole Holding Facility in Sturtevant opens it will provide some immediate, but probably temporary relief for jail overcrowding. However offenders on probation/parole holds who have pending charges will remain in the County Jail.
- that the public is generally unaware of how cases are processed from arrest to final disposition, are unaware of who is and is not arrested and jailed, and are unaware of the policies and practices of the criminal justice system that contribute to jail overcrowding.
- that the issue of racial disparity is never more apparent than in the County Jail where 43% of the inmates are African-American while 20.3% of the City of Racine, and 10.5% of the population of Racine County is African-American (2000 Census Data).

IV. SOCIOECONOMIC AND DEMOGRAPHIC NOTE

Special Note: The following remarks are based on the Racine County Economic Development Corporation's Strategic Plan (April, 2001) and its socio-economic projections for the future of the County. In addition, the Task Force brainstormed on trends that could impact the criminal justice system.

Some of the data comes from the RCEDC Environmental Scan section "DEMOGRAPHICS, EMPLOYMENT, AND INDUSTRY DATA, QUALITY OF LIFE, AND INFRASTRUCTURE, pp. 38-44, *Playing for Keeps. The Task Force believes that all public policy makers in Racine County should be familiar with that Report/Plan.* Items in bold are taken from *Playing for Keeps*, and are sometimes paraphrased. **Implications drawn are the product of Task Force work, not the RCEDC report, and are in italics.**

1. Population growth is occurring in the western part of the county. *This could imply potential need for additional jail/detention/processing space as well as programming west of I-94. As population grows, even if crime rates stay steady or fall, the need for more facilities can increase because of the simple increase in actual numbers.*

2. The county is experiencing a 14% decline in the 23-34 age group. *This implies a possible decline in crime since 23-34 year olds commit a high percentage of crime. On the other hand, if the county is aging, a more frightened elderly population may demand more law enforcement services, including more lock-up of offenders.*

3. Minority and ethnic diversity continues to grow. Hispanics represent the largest percent increase; African Americans are the largest in actual number. *Language and other cultural barriers are increasing. According to testimony before the Task Force from Attorney Reyna Morales, Hispanic Business and Professionals Association, members of the Hispanic community, Attorney Rick Jones, and the NAACP, this leads to problems in negotiating the criminal justice system, leading to inefficiencies and injustices. It could also lead to the need for further staff and programming demands.*

4. The Racine Unified School District is #1 in the state in dropout rate, has the lowest graduation rate, and the highest out-of-school suspension and expulsion rates, of the 10 school districts included in the Milwaukee Public Policy Forum's December 2000 report. *This situation persists to the present. These facts imply increased crime due to the inability to get jobs because of lack of education and consequent learning/training skills. These data disproportionately affect minority populations. Wisconsin has the third highest incarceration rate of African Americans in the country.*

5. The labor force job tracking needs are moving toward the need for more education and technology skills as the job base changes. We have high

unemployment to begin with, and job growth is increasing at less than half the national rate. *Coupled with the education statistics in #4 above, these facts suggest a dangerous and endless cycle of increased crime as undereducated youth become more and more unemployable, and “graduate” to become part of a growing underclass. This suggests a cycle of jobs leaving, seeking a more talented work force, in turn leading to less opportunity, less funding for badly needed educational programs, and further increase in the numbers of undereducated youth and the growing underclass, potentially fraught with discontent and even homelessness. These facts are exacerbated by the state budget woes, which could cause more loss of funding for local government and school units.*

6. *There appears to be an increase in those needing mental health services everywhere, and Racine is no exception. The state has turned the problem over to communities, as part of the “decarceration” movement of the ’70s and early ’80s (defunding community mental health programs, therefore moving the mentally ill into county jails). Kenosha has turned its services over to Racine. This all impacts on service needs of the jail population. No one seems to disagree that the jail mental health services are inadequate.*

7. *The National and International concerns about terrorism and the creation of the new Federal Homeland Security Department could draw resources away from states and local communities. At the same time there may be increased demands from agencies of the Federal Government, such as the Federal Bureau of Investigation or the Immigration and Naturalization Departments to detain and hold more prisoners locally, impacting on jail space.*

8. *The community is just starting to see drugs like Ecstasy in the area; this could lead to an increase in crime and an enhanced need for programs, training, and the need for incarceration.*

9. *There is a pattern of significant increase in female offenders. The female jail population will continue to grow faster than the male population. Female prisoners create new issues in facility design, personnel needs, training needs, health needs, and counseling needs. The jail is already both physically and programmatically deficient in meeting these needs.*

10. *The rapid growth of technology will lead to new avenues for crime, (i.e. identity theft) resulting in increased jail populations.*

11. *Construction costs have increased since the Carter-Goble report. Costs for various building alternatives must be refigured.*

The list above is significantly negative and daunting in its prospects. It does help demonstrate the need for courageous systemic approaches rather than single solution band-aids. Crime is a highly visible symptom of much larger social, cultural, and economic problems. Thus an integrated and systemic many-pronged approach, such as is put forward with the recommendations found in this report, will be needed to effectively deal with such symptoms as crime and jail crowding over the long term.

It must also be mentioned that Racine County has a number of significant pluses that give hope for new, creative, and successful responses to problems. Many of these pluses are mentioned in the RCEDC Plan/Report *Playing for Keeps*, as well as in the strategic plan of the Racine Unified School District. The other school districts in Racine

County are also engaged in reform projects aimed to improve the viability of graduates as productive citizens. Greater Racine has recently received the All American City Award, which recognized the program Youth As A Resource. It is only efforts such as these that will make long-term impacts on the crime situation. These assets and plans are too numerous to include here, though Racine's emphasis on sustainability is one asset that needs to be remembered and used. Sustainability, insofar as it is a national and international movement based in social, economic, and environmental sciences, makes use of the systemic methodologies that our report advocates.

All these assets form part of the working capital the area has to deal with issues. Again, all public policy leaders and citizens should be broadly familiar with the RCEDC information, the Racine Unified School District's Plan, and the Sustainable Racine efforts.

V. OVERVIEW OF THE RECOMMENDATIONS

“Many jurisdictions have succeeded in curbing jail population growth and avoiding the need for larger facilities without compromising community safety or the integrity of the justice system. They have done so by using combinations of system efficiency measures and carefully considered alternatives. The need to focus on these system efficiency measures emerged from several factors. The first was a realization that the local crime rate is only one of the factors determining jail population. The second was recognition that there **is joint responsibility for jail population levels among agencies involved in criminal case handling**. The third was an understanding that functions overlap and interdependence exists among all justice systems components. Finally, it was understood **that careful planning involving all components of the local criminal justice system is required.**” (Bureau of Justice Assistance Report: A Second Look At Alleviating Jail Crowding: A Systems Perspective October, 2000 Page 4).

**There
are no
zero cost
options!**

During its seven months of study, the Citizens’ Criminal Justice Advisory Task Force has received information and cooperation from many components of the criminal justice system in Racine County. We are satisfied that the system as a whole shares the common goal of making Racine a safer community, and that great efforts are being made to achieve that goal. Acknowledging that there are problems that must be addressed within the criminal justice system, almost every speaker has offered some analysis of those problems and an outline of the action the speaker believes is being taken and/or must be taken to improve the system.

We find, however, that the system is extraordinarily complex and that many of the actors operate with competing priorities and value systems. While some common problem areas are acknowledged by all of the players, there is often no apparent consensus about their source or their solutions. To some extent, this is predictable and necessary: the criminal justice system operates constitutionally under the separation of powers doctrine, and no one office or person has positional power or responsibility for the system. It is made up of components that often have strong and able leaders with strong and differing philosophies, but no compelling mandate to cooperate.

What we do know is that there are no “zero cost options” to address the problems and improve the criminal justice system in this county, particularly as it impacts on jail crowding. And we know further that the work done by many of the players can and should be enhanced by greater cooperation and sharing of information by all of the components of the system.

Although there is no ongoing coordinated criminal justice system planning, we recognize that extraordinary efforts are being made by some elements in the criminal justice system to address problems within the system. The year old Racine County Criminal Justice Coordinating Committee (RCCJCC) is doing an outstanding job of fostering discussions between some key elements of the criminal justice system and they are doing some excellent problem solving. **However, their efforts need to be more widely shared, a planning element included, and its membership expanded or perhaps merged with other criminal justice groups, such as the Racine Combined Community Corrections Advisory Board, to reduce duplication of efforts.** If this is done, current and future efforts will have a greater chance of success based on broader input and commitment from other elements of the community and the criminal justice support systems. If these elements are not included they could become non-supportive roadblocks.

VI. RECOMMENDATIONS

During the past seven months the Task Force has met on at least twenty occasions to hear seventeen presenters who provided us with forty individual reports to review including written responses to specific questions we asked them to address. In addition we secured an additional thirty-six Reports and Research Articles to further our understanding of the complex issues related to jail overcrowding. After all of this, we are convinced that any recommendations that we make cannot be acted upon unless Racine County establishes an effective Criminal Justice Coordinating Council (CJCC) that reaches consensus on what system changes, policies and programs it will support. Absent this commitment, the efforts of this Task Force will be non-productive.

Having said that, the Task Force will now present our 10 **recommendations** followed by more detailed documentation of the **most critical areas** from which the recommendations were developed. Each area will address the nature of the problem, the reference sources of information used to identify the problem, alternatives considered, additional information needed to implement the recommendation, and obstacles to implementation.

SHORT TERM RECOMMENDATIONS:

1. Feasibility permitting, immediately erect a security fence around the sally-port area with an electronic gate in recognition of the need for a short-term timely response to the on going public safety risks that current operations pose. Secure updated costs and design plans for the expansion of the intake/booking area to include space for interview rooms, training rooms and medical facilities.
2. Immediately begin a search for an acceptable brownfield location to off-site a 204 bed Huber facility. Secure updated costs and design plans for remodeling the vacated Huber space to add 24 secure beds.

LONG TERM RECOMMENDATIONS:

3. Establish a Criminal Justice Coordinating Council pursuant to the NIC Guidelines for Developing a Criminal Justice Coordinating Committee, **and** provide multi-agency funding and staff to support the council for the purposes of developing databases, staffing CJCC subcommittees, conducting legislative analyses, gathering and disseminating public information, coordinating agency efforts, mediating interagency disputes, helping agencies articulate goals and priorities, planning for resource allocation and reviewing agency budgets, preparing grant applications and managing grants, designing, implementing and evaluating programs, providing technical assistance, training and information brokerage services, and conducting special studies.

4. Provide funding to **dramatically** increase Alternative to Incarceration Programs with the requirement that an evaluation component be developed with measurable performance expectations related to recidivism. Consider options other than secure confinement to expand the range of alternatives.
 - a. Direct Human Services to modify its policy of not providing mental health services to out-of-custody citizens who have pending charges.
 - b. Explore alternative funding sources including federal grants, cooperative agreements with other agencies and utilization of faith based community groups to supplement the costs of these recommendations.
 - c. Explore the development of a Drug Court for Racine County as an option to incarceration that includes an intensive treatment program.
5. Select a validated risk to re-offend screening instrument, approved by the Criminal Justice Coordinating Council, to be used in making decisions on bail, release with conditions to Alternative to Incarceration Programs, and access to in-house treatment programs within the Jail.
6. Develop a shared expanded **centralized** database to include information from the risk to re-offend screening instruments when available, for use by all criminal justice and collateral agencies in making judgments at key decision points.
7. Develop a strategic plan and strategy to decrease the number of juveniles involved in the juvenile justice system with a goal of ultimately reducing the number of adult offenders entering the system.
8. Give public recognition and commitment to investigating and addressing the issue of racial/ethnic disparity in the criminal justice system; develop a **strategic plan** for data collection and the identification of possible interventions at each of the criminal justice system key decision points.
9. Recognize that people with serious mental disorders constitute a substantial and disproportionate segment of the jail and prison populations nationwide and in Racine County and that additional resources must be allocated to address this problem.
10. Provide for a series of public education meetings throughout the county to present and explain the Task Force's recommendations and to secure broad and diverse public input with respect to the recommendations. Produce and publicly disseminate an annual criminal justice evaluation report.

VII. CRITICAL AREAS

1. THE SALLY PORT AND INTAKE BOOKING AREA:

The security of all parties who use these facilities is at risk!

PROBLEM STATEMENT:

We are on notice from the State Jail Inspector for the past three years that the sally port and intake/booking areas are hazardous and need correction. This creates an unacceptable liability risk for the county. The potential cost in dollars, let alone human suffering makes this the top priority short-range issue. The security of all parties who use these facilities is at risk. This includes law enforcement personnel, jail staff, prisoners, delivery people, attorneys, families, and the general public.

- Victims and families are in unsafe areas and situations as they come into the jail. All end up in the same small corridor with arrestees.
- The multiple use of the sally port as a materials receiving area, including food delivery and garbage removal, creates unwarranted security risks.
- The area is not equipped at all hours of the day to facilitate secure drop off of prisoners.
- Often the general public entrance is used for drop-offs, frequently with members of the general public present.
- The Carter-Goble Report of 2001 (pp.5) specifically cites the sally port and intake areas as hazardous and serious security risks.
- Holding cells in the intake area are not well visible from the intake monitoring area.
- Hazards of the intake facility are specifically detailed on pp. 5.5-5.6 of Carter Goble (2001).
- The video courtroom is adjacent to the intake area, creating public relations as well as liability risks.
- Former Sheriff William McReynolds is on public record in regard to the inadequacies of the jail in general and the sally port and intake/booking area in particular.
- District Attorney Robert Flancher and Assistant District Attorney Michael Nieskes are on public record as to the inadequacies of these areas.

- Members of the citizens' committee reported feeling unsafe in the intake areas during their extensive tour of the jail facilities.
- The space for the reception staff is inadequate and the tasks assigned are conflicting, leading to risk (see Carter-Goble, 2001, pp. 5.5-5.6).
- No agency that appeared before the committee challenged the major findings of Carter-Goble (2001) or PONI. The vast majority found those reports credible. Carter-Goble was criticized for focusing mainly on construction options, but that was their assignment and charge.

ALTERNATIVES:

- Get the delivery trucks out of the way through scheduling deliveries at low crime times and /or radioing ahead. Use better techniques, technology, and provide more back-up patrol cars.
 1. Scheduling has been tried and is currently being used; however crime doesn't operate on a schedule.
 2. The situations are too fast and dynamic. Space is too tight. Too many conflicting demands on staff. Not enough person power to operate multiple squads.
- Fence in the parking area with razor ribbon at the top, remote cameras at the gate.
 1. The community may not appreciate the aesthetics.
 2. Deliveries come in and would still come in that way.
- Remove public access; send them in some other way.
 1. The building is closed after 5:15 p.m.; jail intake is the only place to enter.
 2. More staff would be needed; cost considerations.
- Use of the courthouse has been suggested.
 1. The courthouse was not acceptable in the past.
 2. The courthouse was even more dangerous.
- Use another facility for off-site booking and holding; then transport *en masse* to County Jail. For instance, convert St. Luke's Hospital to this use.
 1. Officers may resist if it involves more time "baby sitting" offenders, or if it isn't any more secure than the current system.
 2. Cost appears to be at least the same if not more than current system, or remodeling at current jail.
 3. More time/staff required.
 4. In addition to staffing needs, provision would (or might) have to be made for medical, mental health, laundry, and meal services.
- Move Huber out; use space gained for sally port/intake. Perhaps space left over to improve medical/psych/counseling/meet with attorney's space. Perhaps gain regular bed space to get people off the floor.
 1. Cost to develop Huber facility.
- Contract out the intake process.

1. Legal Issues.
2. Cost Issues.

OTHER INFORMATION NEEDED:

- Revisit costs and feasibility. Carter-Goble update needed.
- Has there been any litigation related to sally port/intake?
- Have any resources been reallocated to mitigate security issues in the current sally port/intake arrangement?
- There is a need to become familiar with alternative funding sources.

OBSTACLES:

- The bonding position of the county is purported to be good. If it isn't, this would become an obstacle.
- County board willingness to bond.
- The politics of "perceived spenders vs. fiscal conservatives".
- Expenses involved in new building: one time vs. ongoing expense.
- Possible public opposition to the fence.
- Documentation of severity of the problem is hurt by insufficient data systems.

TIMELINES:

Short term (60 days)

- A critical problem that has been ignored.
- Build the fence.
- Move trucks on demand.

Long term

- Remodel sally port and intake using external land.
- Remove Huber area and use to remodel sally port and intake.
- Build a new jail.

RECOMMENDATION:

1. Feasibility permitting, immediately erect a security fence around the sally-port area with an electronic gate in recognition of the need for a short-term timely response to the on going public safety risks that current operations pose. Secure updated costs and design plans for the expansion of the intake/booking area to include space for interview rooms, training rooms and medical facilities.
2. Immediately begin a search for an acceptable brownfield location to off-site a 204 bed Huber facility. Secure updated costs and design plans for remodeling the vacated Huber space to add 24 secure beds.

2. HUBER

Urban brownfield redevelopment is recognized as a priority by Racine County business and government leaders and should be considered for an off-site Huber Facility.

PROBLEM STATEMENT:

Special Note: (Huber privileges allow inmates to be released during their hours of employment.) The Racine County Jail has a Huber capacity of 90 inmates but has been averaging about 70 males and 10 females from October 2002 to March 2003. Because of the high unemployment rate in Racine (11%), the operation of Huber under capacity may be attributed to fewer Huber sentences and/or inmates' inability to find jobs. The Carter Goble Report (7-7) Option A recommends that a 204 bed Huber facility be located off-site; however no search has been conducted to determine if an acceptable greenfield or brownfield site can be located. Urban brownfield redevelopment is recognized as a priority by Racine County business and government leaders. (**Milwaukee Journal Sentinel** Article 4/25/03 "Racine County Needs Listed & Sustainable Racine letter 4/30/03 "Brownfield Development"). An even larger issue is the need for initiatives to enhance employment opportunities for Huber inmates.

SUPPORTING DOCUMENTATION:

1. Almost every other county in Wisconsin has either built a new jail, undergone major Huber expansions, or made significant additions to their jails. The majority of these increases have occurred since 1997. (Wisconsin Office of Detention Facilities Report: "Recently Completed Construction Projects".
2. The female population at the Racine County Jail is steadily increasing and expansion of areas of the jail identified as female housing to better manage the daily population is recommended by The Wisconsin Office of Detention Facilities as part of the Jail Inspection Report in a separate letter to the Sheriff dated 5/31/02.
3. PONI Report, Phase I – June 27th through June 30th, 1999
Carter Goble Associates, Inc. – October 2001

PONI -page 4:

“The Racine County Jail is crowded. The existing facility has been completely ‘built out’ and double bunked. There is no more room to add bed space in the existing building. In 1980, when the jail was built, it was designed as a 144-bed facility. It was crowded the day it was opened. Since then, the available bed space has been expanded on seven separate occasions, either by adding new wings, taking over the space previously reserved for juveniles, or, since 1993, by double bunking. It now operates as a 650 bed facility, not including temporary holding areas.”

PONI - Page 10:

“Crowding at the jail is serious. The building was not designed to accommodate the number of prisoners that are now being housed. Crowding makes it impossible to properly administer the inmate classification scheme. Inmates cannot be properly segregated from one another.

The building is totally “built out” and double bunked. Beds have been added. Infrastructure has not been sufficiently expanded. The infrastructure (feeding, visiting, laundry, program space, library space, booking area, etc.) is not sufficient to support the number of prisoners housed there. It is difficult to keep up with necessary but routine maintenance of the building.”

Carter Goble – ES-6:

29. “From an operational perspective, the most pressing problem is the convoluted intake, release, and delivery area.”

30. “The preliminary assessment of space requirements reveals the need to reprogram, redesign and renovate approximately 17,300 SF of the jail’s ground level. The new vehicle sally port requires approximately 2,700 SF.”

31. The preliminary assessment of space requirements reveals that a 204-bed Huber facility will require 46,000 – 49,000 SF, depending on an on-site or off-site location.” *(Task Force Note: There is a need to determine the square footage of the existing Huber facility, to determine if it would be enough to allow for the sally port, intake, and release requirements.)*

Carter Goble 7-1:

“The future bed space needs in Racine County will require construction, even with an expanded use of pre-and post-trial alternatives. The 975 bed space needs for 2020 can be reduced to 805, if a philosophical and financial commitment is made to support the recommended alternatives. Through the planning effort, the basic bed space needs were narrowed to approximately 200 for minimum custody inmates (predominantly Huber) and 200 additional secure bed spaces by 2020.”

PONI - Page 8:

“Key observations.....’Structural and staffing limitations and severe, chronic crowding limit the ability of Racine County to operate the jail according to the State Minimum Jail Standards. Annual reports from the Jail Inspector document areas in which the jail has failed to meet these standards’.

PONI-Page 5:

“Part of the increased population in the jail is outside of our control. State-wide increases in jail population stem from changes in State law requiring mandatory jail terms for second and subsequent convictions for Operating a Motor Vehicle While Intoxicated (OMVWI) and for Operating After Revocation or Suspension (OARS/SP) of a driver’s license. [Task Force Note: Effective May 1, 2002, jail time for Operating after Revocation/Suspension is no longer mandatory. PONI was written prior to this change.] Drug law enforcement, an increase in the legal drinking age, and mandatory arrests for domestic violence have increased the number of jail admissions for offenses such as drug and liquor law violations, disorderly conduct, and assault.”

Carter Goble – ES-1:

“...arrests for Index Crimes (the most serious) represent just 15% - 20% of total arrests.”

Pony options:

PONI - Page 11:

Expand corrections capacity, by increasing

- a. Secure jail bed space (e.g. jail), and/or
- b. Non-secure bed space (dormitory, barracks), and/or
- c. Residential bed space (e.g., half-way house); and/or...

Options to Secure Confinement – See PONI - Appendix H

Carter Goble Recommendations:

Carter Goble – Pages 7-9

“The top priority for Racine County is to improve the intake and release functions. This will require the relocation of the minimum custody housing area and re-assignment of this area to intake and release functions. Thus, initiation of changes in the intake and release area will mean resolving the minimum custody housing need.”

Carter Goble – ES-7, 8:

“31...The new housing is based upon three 64-bed dormitory units for males and a 24-bed housing unit for minimum custody female inmates. In addition to the dormitory housing units, approximately 12,000 new square feet for support areas to the housing will be necessary.

- 32. ...Off-site could also include “brown-field” locations. Existing structures could be included in “brown-field” sites. Many examples of successful conversions for minimum custody facilities exist. If a suitable site can be found, the feasibility of this approach should be seriously considered. In addition, the existing site can accommodate a four-level expansion for the Huber housing.
- 39. For the Huber project, the cost of off-site square footage is estimated to range from \$108 to \$127 in 2001 dollars. To construct a similar-sized, but multi-level Huber addition on-site, this range increases to \$153 to \$183 per square foot”.

Carter Goble – Pages 7-10:

“Advantages of off-site Huber facility:

1. Lowest per bed construction cost
2. Fastest actual construction time
3. Readily expandable
4. Availability of parking at new site
5. Minimal operations disruptions at current facility
6. Single level detention operations

Disadvantages of off-site Huber facility:

1. Least staff efficient of the options
2. Two facility(*sic*) must be managed
3. Food must be transported
4. Potential site selection issues
5. Potential cost of site acquisition
6. Potential delay in project start-up if site is an issue”

PONI - Page 18:

“It is likely than an analysis of the jail population will identify sub-populations of prisoners that can be managed apart from the secure jail setting. In this sense, the task at hand may not necessarily be a need for additional jail bed space, but the need to expand correctional capacity. This represents a more comprehensive way to respond to the crowding problem. Typically, the best way to expand correctional capacity is to create a continuum of sanctions and services. The jail would anchor one end of this continuum. Some of these sanctions might be residential instead of in an institution.”

Carter Goble – Pages 7-18:

“The recommended plan is the construction of a new Intake and Release component as soon as possible to correct serious security and spatial problems. To accomplish this high priority task will require the use of the existing Huber housing unit. In addition, support services for medical, food, and laundry should be expanded to meet the increasing ADP. Therefore, in conjunction with the new Intake and Release component and expanded support core, the County should initiate more detailed design for a new 204-bed minimum-security housing unit for male and female inmates. This will vastly improve the operation of the existing facility.

Finally, a decision on the future site for the Huber and secure bed spaces is necessary at this time. The evaluation has illustrated that a 20-year need can be met on the existing site, but will maximize all available site area, leaving no further room for expansion at the existing site beyond 20 years. While operational costs are less by remaining at the current site, long-term needs of the County for court and general government expansion should also be addressed at this time. More detailed planning and design studies may be necessary to confirm the full potential of the existing site in light of other governmental needs.”

ALTERNATIVES:

1. Reduce the need for an expanded Huber facility by reducing the Huber inmate population through a process of screening to identify Huber inmates who could be returned to court for sentence modification based on their low risk to re-offend.
2. Increase the number of Huber inmates out on work release by hiring a Jail Work Release Coordinator to assist inmates on job preparation, job search, and maintaining employment.
3. Contract with a private or public agency to provide job readiness programs for Huber inmates and assist them in job search and maintaining employment.
4. Pursue Option B of the Carter Goble Report and co-locate a new expanded Huber facility that would include program space to facilitate employment search programming.

ADDITIONAL INFORMATION NEEDED:

1. Does/can the judiciary use the Huber privilege effectively enough to warrant the building of a 204 bed facility?
2. What is the criminal justice system's view on the purposes of Huber/Work Release (i.e., as punishment, as an alternative to prison or as an opportunity to maintain employment and family ties in the community?)
3. What is the percentage of Huber inmates who have their Huber privileges revoked for violation of conditions or escape?
4. What is the average length of stay for Huber inmates vs. other sentenced inmates?
5. What is the demographic data and what are the risk to re-offend characteristics of Huber inmates?
6. Jail Statistics show that 33% of the jail population are sentenced offenders and based on Daily Jail Population Reports it would appear that 40% of the sentenced offenders are on Huber/Work Release. Since these inmates are free to be in the community to work, how many of these inmates were considered or could be considered for Alternative to Incarceration Programs? Are they eligible to participate in the Jail AODA Program?

OBSTACLES:

1. Public perception that Huber is not a punishment may restrict or negate the usefulness of additional Huber facilities.
2. The possible lack of judicial and prosecutorial support for continued and/or expanded use of Huber as punishment and as a reasonable alternative to prison.
3. Lack of funding to support enhanced job readiness and placement programs and staff to assist Huber inmates in finding and retaining jobs.

4. An on-site location of Huber would significantly limit future expansion of secure beds if needed, by using the only available space for expansion that is adjacent to the jail.
5. An off-site location of Huber might lack community support (i.e. NIMBY; “*Not In My Back Yard*”).
6. An off-site location might require extensive remodeling, create food service and transportation issues and limit the amount of security backup available when needed.

RECOMMENDATION:

1. Immediately begin a search for an acceptable brownfield location to off-site a 204-bed Huber facility.
2. Secure updated costs and design for an off-site Huber facility to include operational obstacles and challenges and cost comparison with on-site facility.
3. Explore hiring a Jail Work Release Coordinator to assist inmates in job readiness, job search, and job retention.
4. Explore contracting with a private or public agency as an adjunct to the Jail Work Release Coordinator to assist Huber inmates in securing and maintaining employment and monitor them while out in the community.

3. A CRIMINAL JUSTICE COORDINATING COUNCIL

“Effective collaboration also protects the leaders essential to successful change. A collaborative body involving all the system’s actors provides a context for leadership to emerge and offers the protection of collegial support and policy consensus when controversy—a predictable by-product of real change--eventually arises.”

Kathleen Feely, “Collaboration and Leadership in Juvenile Detention Reform”

PROBLEM STATEMENT:

- There are several boards, committees and task forces that are studying aspects of the criminal justice system. There has been inefficient communication and coordination among these groups who are studying the systems. Since there is no overall authority to lead in this direction, each group, while doing some good fragmented work, follows its own path and tries to fix its own problems. Fragmentation leads to duplication, overlap, and gaps in focus, resources, and services.
- Lack of: shared common vision and mission, standardized policies, effective allocation of resources, common data gathering and analyses, as well as helpful summaries stifle communications, collaboration, and coordination.

SUPPORTING DOCUMENTATION:

- “More recent definitions of comprehensive criminal justice planning have taken on the meaning of planning as coordination. This recognizes that fragmentation is a fact in the criminal justice system and that decision-making is decentralized. Central planning as a comprehensive model tends to be associated with total control, and this runs counter to the separation of powers doctrine.”..... “System wide planning affords an opportunity for the disparate components of the justice structure to work together. Collaboration in the analysis of problems and the sharing of information,

resources, and expertise can build local capacity for crime prevention, justice reform, and community mobilization. Strong planning capacity can also provide elected officials and criminal justice executives with the data and analysis essential for establishing rational policies and priorities for a complex system.”

Christina Morehead, *A Criminal Justice Planning Model for King County*.

- The National Institute of Corrections (NIC) has found, in many cases, that what a community was treating as solely a “jail problem” was, instead, a system-wide condition requiring an intergovernmental and interagency response. Many counties make the mistake of not considering all sides of the complex issues facing county criminal justice systems.
- “The responses from stakeholders in different counties in Wisconsin performing the same or very similar functions make it apparent that the issues cross county lines and these local issues are more than just issues for individual counties. These are issues that challenge almost all counties in the State of Wisconsin. Despite slightly different nuances from county to county, common themes beg for solutions.”¹
- The following quotes from the May 2, 2003 National Catholic Reporter in the article “Locked Up” by Patricia Lefevere give a sense of urgency in dealing with the Criminal Justice scene in the United States:

“According to the U.S. Department of Justice statistics in 2001 nearly 6.6 million people were in jail, prison, on probation or parole. That is 1 in every 32 US residents. Included are 3,692 inmates on death row.”

“The costs of maintaining these facilities is estimated at \$40 billion annually. Although the United States has less than 5% of the world’s population, it incarcerates 25% of the world’s prisoners. The cost of 2.2 million people who work in the criminal justice system, including law enforcement, incarceration, probation and parole, as well as court personnel ran to \$147 billion in 1999.”

“Those being released yearly number 600,000, most returning to their old communities with no rehabilitation or job skills.”

Related Web Sites

WWW.curenational.org/new

www.middlegroundprisonreform.org

www.usdoj.gov

¹ Local Criminal Justice Planning: The Wisconsin Experience, Prepared by Jane Klekamp, LaCrosse County Justice Sanctions Coordinator; Ed Hammer, Marathon County Director of Planning; Tom Wever, Monroe County Justice System Administrator; Kathy King, Portage County Justice System Administrator. September 24, 2002 Wisconsin Counties Association.

The following article is a resource for creating A Criminal Justice Coordinating Council:
Guidelines for Developing a Criminal Justice Coordinating Committee by Robert C. Cushman, NIC Accession Number 17232, January 2002

ALTERNATIVES:

- One recommendation is the creation of a permanent Criminal Justice Coordinating Council (CJCC) which would include key justice system policy makers and administrators whose responsibility it would be to analyze system needs and trends, propose solutions, develop proposals for justice system modifications and alternatives to incarceration, monitor programs and efficiently and effectively administer resources. It needs to include public and private agencies that play a role in the system as well as private citizens. Within this council the Hispanic and African-American communities should be represented.
- This Council needs to be supported with a budget for staffing and necessary supplies.
- Meetings are open to the public and agendas are published. At established times public will be allowed to speak with time-limits.
- Those who need to be considered for membership are:
 - Chief/Presiding Judge.
 - County Executive.
 - County Board Chair.
 - Sheriff.
 - District Attorney.
 - Clerk of Circuit Court.
 - Mayor of City.
 - Government representatives other than city of Racine East of I-94.
 - Government representatives west of I-94.
 - Public Defender.
 - Director of Human Services.
 - Director of Health Services.
 - Parole and Probation Chief.
 - City of Racine Police Chief.
 - Police Chiefs from incorporated municipalities in Racine County.
 - Representative of Police Chief Association.
 - Racine Area Manufacturing and Commerce Representative.
 - Racine Unified School District Superintendent of Schools.
 - A Superintendent of Schools representing districts west of I-94.
 - A representative of the juvenile justice system.
 - A lay citizen.
 - A representative who served on the Racine County Citizens Criminal Justice Advisory Task Force.

- Citizen representatives from the Hispanic **and** African-American Community
- Executive Director, Racine County Economic Development Corporation
- Executive Director, Sustainable Racine.

The following counties in Wisconsin have instituted local Criminal Justice Planning and have had cost avoidance by using a figure of \$50/day as the cost to incarcerate in 2001: (Local Criminal Justice Planning. The Wisconsin Experience 09/24/02)

- Marathon saved 15,000 jail bed days amounting to \$750,000.
- LaCrosse saved 9,648 jail bed days amounting to \$308,000.

ADDITIONAL INFORMATION NEEDED:

The present Task Force has completed its study as far as they are able. The work ahead needs not just an advisory task force to accomplish the mission, but rather a permanent Council with broad representation as listed above. The course correction must come from a Council composed of insiders and outsiders coming to consensus.

It is not known whether those in authority in Racine County are willing to acknowledge that our present system is fragmented and in need of coordination. In the world of limited resources and increased demands for system accountability, a Council can provide forums for the key stakeholders within the system to work together to build consensus and leave their traditionally adversarial relationship behind.

OBSTACLES:

The following results from a Local Criminal Justice Planning Conference were summarized in a publication dated September 24, 2002 and entitled "Local Criminal Justice Planning: The Wisconsin Experience":

- Primary issues and problems were jail crowding/population, costs, and politics/turf protection.
- Costs of collaboration include loss of autonomy, time and energy and compromise.
- Barriers to improving collaboration include politics/turf protection, cost/responsibility, and firmly set-attitudes.
- Means for overcoming barriers include commitment and a facilitator/observer.
- Benefits include communications, efficient use of resources, and empowerment/ownership.

RECOMMENDATION:

Establish a Criminal Justice Coordinating Council pursuant to the NIC Guidelines for Developing a Criminal Justice Coordinating Committee, **and** provide multi-agency funding and staff to support the Council for the purposes of developing databases, staffing CJCC subcommittees, conducting legislative analyses, gathering and disseminating public information, coordinating agency efforts, mediating interagency disputes, helping agencies articulate goals and priorities, planning for resource allocation and reviewing agency budgets, preparing grant applications and managing grants, designing, implementing, and evaluating programs, providing technical assistance, training and information brokerage, and conducting special studies.

4. ALTERNATIVES TO INCARCERATION

Expanded Jail Population Reduction Programs to reduce admissions and lengths of stay are needed, not just more jail beds.

PROBLEM STATEMENT:

The limited capacity and inconsistent use of Alternatives to Incarceration for low-risk non-violent jail inmates contributes significantly and unnecessarily to jail overcrowding in Racine County.

The lack of funding to expand the capacity of Alternative to Incarceration Programs or even ensure their continued existence threatens to reduce the savings of 167 ADP (60,000 jail bed days) these programs currently save and further increase the Average Daily Population (ADP) of the Racine County Jail. (Carter Goble page ES-3)

SUPPORTING DOCUMENTATION:

1. The 1999 NIC PONI Report (Page 11 & Addendum H-2) recommends options that include adding new programs and not expanding correctional capacity but instead managing these offenders in the community.

This would include the following options to secure confinement:

- Police Diversion--instead of arrest and may include counseling, reprimand, or referral to person or agency.
- Expand Use of Citation/Summons-- in lieu of jail for pretrial detention.
- Station House Bail--police work with courts to develop a uniform bail schedule and procedures to allow police to collect pre-established bail at the station house.
- Third Party Release--a responsible third party agrees to stand up for defendant, and mentor him/her during pre-trial process.
- Expand Day Reporting (Off Site)--use for both pre and post conviction 7 days a week with verification of defendant's schedule.
- Expand House Arrest--restricts movement of both pre and post trial defendants to home during leisure time and in conjunction with electronic or face-to-face in-home contacts.
- Deferred Prosecution--Prosecutor agrees to postpone filing charges

conditional upon defendant participating in some remedial program. Ideal for drug treatment, restitution or community service.

- Community Service--court orders defendant to devote unpaid time to some worthwhile project.
 - Day Fines--used to reduce number of inmates who are in jail because they cannot pay a fine. Each unit of fine is equivalent to the offender's gross wage for 1 hour of work.
 - Electronic Monitoring.
 - Non-secure Residence--provides an organized and supervised alcohol, drug-free structured living environment such as a halfway house or restitution center.
2. The 2001 Carter Goble Jail Needs Assessment Report (Page ES-3 & 1-2, 1-3, 1-4, 4.1, 4.2, 4.5, 4.6, 6.2) observes that:
 - Expanded Jail Population Reduction Programs to reduce admissions and lengths of stay are needed.
 - Continue existing ATI Programs that currently reduce annual jail bed days by 7500.
 - The difference between jurisdictions with high incarceration rates from those with low rates is the degree that programs designed to reduce jail populations are utilized. Diversion programs are most successful when the key players of the justice system recognize and accept the need to reduce jail populations.
 - Increase the number of Community Service Work Crews (and staff to supervise them) to reduce ADP by 5-6 inmates.
 - Focus on Day Reporting Program expanding it by 150%.
 - Institute release programs for special jail cases (bail of less than \$500) to reduce ADP by additional 4-5 inmates.
 3. State Senator Gwendolynne Moore Letter to Governor Doyle dated January 30, 2003 calling for:
 - Expansion of Felony Drug Offender Alternatives.
 - Community Justice Centers housing neighborhood based court facilities and social service organizations.
 - Expansion of the Pretrial Intoxicated Driver Intervention Programs to include offenders with histories of substance abuse and/or mental illness.
 - Treatment Alternatives for Drug-Addicted and Drug-Dependent Offenders
 - Reducing Driver's License Suspensions and Revocations.
 4. Bureau of Justice Assistance Report: A Second Look at Alleviating Jail Crowding: A Systems Perspective. October, 2000 (Page 12)
 - Local systems can be modified to divert many arrested and convicted persons from jail to more appropriate dispositions or to reduce periods of confinement without threatening community safety.

5. Presentation by Zimmerman Consulting Inc. (ZCI) on 12/5/02.
 - Offender eligibility for services provided ZCI are based on policy and the judgment of the Courts and are not based on any scaled risk to re-offend instruments.
 - More inmates could be accepted into the Day Reporting Center if the eligibility criteria was reviewed and revised.
 - More inmates could be accepted into the Children First Program if more staff time were available.
 - Often, there is a waiting list for inmates to be accepted into the Jail AODA Program. If the Judiciary were to collectively modify its policies more inmates could be accepted into this program.
 - Currently ZCI provides the following alternative to incarceration programs that are recognized by the Carter Goble report as providing reduction in the ADP by up to 167 (60,000 jail bed days) and if expanded, could provide 15-20% further reduction in jail bed days (Page 4-7 of Carter Goble Report):
 - a. Alternative to Incarceration Program monitors offenders for illegal substances and provides for an average of 350 offenders on any given day with a budget of \$321,000.
 - b. Jail AODA Program provides 21 days of intensive in-jail treatment for up to 21 inmates with a budget of \$315,000.
 - c. Children First works with up to 12 inmates who are in jail for commitments for failure to pay child supports/arrears with a budget of \$110,000.
 - d. Day Report Center helps up to 20 inmates transition from the jail to the community and provides for monitoring and daily home visits with a budget of \$76,000.
 - e. Intensive Supervision Program provides Breathalyzer testing and monitoring for up to 110 pre-trial defendants with multiple OWI offenses with a budget of \$190,000.
6. Recommendations by CCJI during a presentation on 11/27/02 (Recommendations for the Racine County Task Force):
 - Explore the willingness of the faith community to assist the criminal justice system in providing counseling, monitoring, mentoring and other pre-trial services.
7. Presentation by Wisconsin Correctional Services on 3/6/03.
 - Provides in-house services with daily home visits and supervision.
 - Provides for a criminal justice center for day reporting.
 - Provides for bail evaluation interviews and reports at Intake and mid-day to relieve overcrowding.
 - Focuses on OAR, OWI, and Mental Health cases for diversion.
8. US Department of Justice Video “Alleviating Jail Crowding: A Systematic Approach”:

Alternatives to Incarceration should focus on Key Decision Points:

- Arrest: in lieu of, transfer to mental health facility, detox center or issue citation/summons.
- Pretrial Detention: ROR, Bond, Diversion
- Decision to release from pretrial jail: use of electronic monitoring or house arrest.
- Decision to prosecute: deferred prosecution, diversion.
- Adjudication decision: community service or restitution center.
- Sentencing decision: community supervision with conditions.

9. Presentation of Alliance for the Mentally Ill on 3/27/03.
 - Recommends providing for mobile crisis worker, crisis center unit and case manager to provide alternatives to jail for mentally ill offenders.
 - Cost estimates of \$421,000 for 10.4 FTE positions.
10. US Department of Justice. NIC Article: Jail Resource Issues: What Every Funding Authority Needs to Know:
 - Suggests funding authorities implement or expand inmate programs in jails including educational opportunities, library services, substance abuse education, life-skills instruction and recreation.
11. Presentation by Probation & Parole on 2/6/03:
 - Provides financial support and referrals for the ZCI Jail AODA Program.
 - Responds to requests from jail administration to release offenders with medical issues.
 - In lieu of jail custody, provides progressive sanctions for rule violations such as work crews, community service, EMP, verbal warnings, referrals to programs.
 - Supports all current Alternative to Incarceration Programs in Racine County.
12. Department of Justice NIC Article: A Second Look at Alleviating Jail Crowding: A Systems Perspective
 - **ARREST DECISION POINT:** Encourages the use of citations and pre-arrest diversion for those involving public inebriates, mentally ill, juveniles, vagrants, trespassers and others involved in minor disputes or nuisance charges.
 - **JAIL OR POLICE STATION:** Encourages diversion to extra-system services, citation release, pre-booking release, or release without a bond for traffic or misdemeanor charges.
 - **PROSECUTOR SCREENING/CHARGING:** Encourages prosecution to offer diversion to appropriate defendants to participate in treatment, education or job training with agreement that charges will be dropped upon successful completion of the programs. Encourages expanded use of ROR, 3rd Party Releases, Unsecured Bail and Deposit Bail (10%).

- SENTENCING: Encourages less reliance on jail and greater reliance on probation supervision, fines, community service, restitution treatment, halfway houses and electronic monitoring.
 - EXTRA SYSTEM SERVICES: Encourages the use of:
 - Counselors skilled in treating and counseling juveniles, drunk drivers, chronic public inebriates, and the mentally ill.
 - Professionals and volunteers in shelter, dispute settlement, crisis intervention and emergency relief programs.
 - Vocational educational specialists.
 - Employers to provide jobs and community service slots.
 - Church groups and social service providers willing to supervise pretrial or sentenced defendants.
13. Presentation by Attorney Reyna Morales, Hispanic Business and Professional Association and from the Hispanic Community on 3/27/03:
- Supports printing forms in Spanish such as bond information and ZCI alternative to incarceration programs.
 - Supports creating court liaison officers whose duties would include attending church groups and attending different organizations to educate the community on how the criminal justice process works.
 - Need to offer AA in Spanish.
 - Need for the community to support Hispanic resources such as mentoring programs, basic computer literacy training, ESL, GED & HSED Spanish programs, partnerships to monitor jail inmates being released and direct them to programs, Spanish OAR programs and education saturation.
14. Minutes from 3/6/03 Presentation by Racine County Human Services:
- Agency provides funding for the Crisis Center at St. Lukes 2 West and Genesis Medical Detox.
 - Supports the development of a screening center to identify mental health and AODA treatment offenders.
15. Minutes and Presentation Material from 2/20/03 Presentation by State Public Defenders Office:
- Encourages the use of budget counseling prior to court appearance.
 - Encourages expansion of Jail AODA Programs and Children First.
 - Supports the concept that Huber law inmates shouldn't have to pay to be in jail.
 - Explore the development of a Drug Treatment Court.
 - Supports all ZCI programs and supports pro-rated fines/commitments.
16. CCJI Written Recommendations for the Racine County Task Force:
- Explore the ability of the Human Services Department to provide expanded services to individuals incarcerated in the jail as well as aftercare.
 - Explore greater use of the faith community to provide counseling, monitoring and mentoring and other pre-trial service alternatives.

17. Wisconsin Department of Corrections 2000, 2001 and 2002 Jail Inspection Reports:
 - Recognizes the efforts of the Jail to provide in-house AODA programming, GED, AA, Anger Management and Alternative to Incarceration Programs as helpful in reducing jail overcrowding.
 - Encourages expanded use of electronic monitoring and other alternative to incarceration programs.

18. Written presentation materials from 12/5/02 presentation by the District Attorney's Office:
 - "We will support alternatives to jail programs if the program can reasonably insure that sentenced defendants receive appropriate punishment sanctions, that all defendants are monitored in such a way that they will make all future court appearances and that they do not pose a threat of further criminal activity or violence to our law abiding citizens."

19. Jail Overcrowding-Understanding Jail Population Dynamics (National Association of Criminal Planners NIC) January 2002.
 - National trends: Adult arrests, on the other hand, increased at a substantial rate (12%) during the same period (1993-1996). Adult arrest for serious offenses grew a modest 3 percent. Persons arrested for less serious offenses drove the large growth in adult arrests. Less serious arrests cover such activities as illicit drug possession or sale, fraud, simple arrests and public offenses. These arrests grew by 14 percent. Drug arrests (up 32%) largely drove the increase in volume among these less serious offenses. Much of this increase in drug arrests was attributable to arrests for drug possession (up 42 percent).

20. Mary Jane Whitmore's report to NAMI/Sheriffs Task Group memo of 10/19/01.
 - "Of the 98 inmates seen by Racine Psychological Services between January and July 2001: twenty-three (23%) of the inmates seen by RPS were held on drug (15) and or alcohol related (8) charges".

21. "Effectiveness of Drug Treatment Courts: Evidence from a Randomized Trial-Gottfredsen et al. Criminology and Public Policy, Vol. 2, 2003."
Research Summary: Study randomly assigned 235 offenders to drug treatment. Analyses of official records collected over a two-year follow-up period show that Drug Treatment Court's (DTC) are reducing crime in populations of drug-addicted offenders. DTC subjects who participated in treatment were significantly less likely to recidivate than were both untreated court subjects and control subjects."

ALTERNATIVES:

1. Continue to rely on the existing Alternatives to Incarceration Program, AODA Program, Children First Employment Program, Day Reporting Center, and Intensive Supervision Program at their current operational levels but be aware that these programs face significant loss of funding sources in the near future.
2. Explore other sources of funding for Alternative to Incarceration Programs including Federal Grants, cooperative agreements with existing state funded agencies providing alternatives to incarceration and day treatment programs for offenders, and faith based community programs.

Suggested Alternatives by the UW Parkside, Undergraduate Research Paper: The Racine County Jail: Options to Expansion:

1. Change the qualifications for the AODA Program and expand the number of inmates allowed in the program.
2. Eliminate the in-jail aspect of the Children First program and move it off site to be used more as a job resource program and less as incarceration. . (The Racine County Jail: Options to Expansion. UW Parkside Undergraduate Research, Page I)
3. Alter qualifications to the day reporting program by allowing more non-violent first time inmates to participate.
4. Introduce sobering stations to Racine County to free up officers west of I-94. .
5. Consider implementation of a Drug Court in Racine County as an option to incarceration and focus on treatment.

ADDITIONAL INFORMATION NEEDED:

1. Cost and feasibility analysis of expanding existing Alternative to Incarceration Programs to serve inmates who could then be safely released to the community.
2. Investigation of the feasibility and legality of adding additional alternatives to incarceration such as Police Diversion, Citation/Summons, Station House Bail, Third Party Release, and Day fines.
3. Decision on the type of risk to re-offend screening tools to be used to determine which inmates can be safely released to the community in alternative to incarceration programs.
4. Demographic data on the characteristics of offenders arrested and/or jailed required to implement risk to re-offend screening tools.

OBSTACLES:

1. Lack of a centralized database with information needed to complete evaluation of offenders' risk level.
2. Lack of Performance Based Evaluation Tools to determine the effectiveness of ATI Programs.
3. Lack of implementation of validated Risk to Re-offend Tools.

4. Lack of agreement by the various criminal justice elements on use of ATI Programs or eligibility standards.
5. Lack of funding sources for continuing or expanding ATI Programs
6. Inmates of color represent a disproportionate population in jail and often don't qualify for alternative programs because the fact that they are in jail leads to loss of family support, lost residence, lost jobs, i.e. the very factors that qualify inmates for such programs. (Justice Quarterly 7(1):70-102 "The Jails and the Community" John Klofas)
7. Over 80% of inmates at the Racine County Jail have been there 3 or more times and 72% have been booked up to 15 times (WGTD radio interview of then Sheriff William McReynolds)

RECOMMENDATION:

Provide funding to **dramatically increase alternatives to incarceration programs** with the requirement that an evaluation component be developed with measurable performance expectations related to recidivism. Consider options other than secure confinement to expand the range of alternatives.

1. Direct Racine County Human Services to modify its policy of not providing mental health services to out-of-custody citizens who have pending charges.
2. Explore alternative funding sources including federal grants, cooperative agreements with other agencies, and utilization of faith based community groups to supplement the costs of these recommendations.
3. Explore the development of a Drug Court for Racine County as an option to incarceration that includes an intensive treatment program element.

5. RISK ASSESSMENT

There are reliable risk to re-offend assessment tools available and should be used at key decision points.

PROBLEM STATEMENT: Reliable and validated risk to re-offend assessment tools are available and in wide use in jurisdictions throughout the country. However, all too often the offender's prior record and loosely compiled information is all that is considered at many of the decision points in the criminal justice process. This often leads to inconsistent applications of criteria and a population of potentially suitable offenders that could be considered for alternative to incarceration programs in lieu of detention.

SUPPORTING DOCUMENTATION:

1. Written and Oral Presentation by Racine County District Attorney's Office on 12/5/02. (Page 4) **"There is no written list of standards or risk assessment"** and **"It is not our function to get people out of jail."** Instead the District Attorney's Office makes bail recommendations based on:
 - The seriousness of the offense.
 - Probability of attending further court appearances.
 - Other holds or detainers.
 - The strength of the case.

Recommendations for bail reduction modifications **are not based on any risk assessment tool** but instead rely on issues more related to the successful prosecution of the case, such as:

- Time spent in jail compared to likely sentence.
- Speedy trial demands.
- New information regarding the facts of the case or criminal history.
- Additional information regarding legal defenses or strength of case and likelihood of success at trial.
- Unavailability of witnesses or victims or changes in their statements.
- Cooperation of law enforcement.
- Community or family members willing to act as sureties.
- Ability to post some amount of cash.
- Agreement to go into treatment or other type of facility.

2. Presentation by Wisconsin Correctional Services on 3/6/03. (Minutes Page 2)
 - WCS has made extensive use of screening and risk assessment tools as part of both the Diversion and Bail Evaluation Programs in Milwaukee. However funding for these programs was terminated because the judiciary could not agree on the validity of the instruments.
 - Use of any screening instrument that serves as a risk tool must have the support of all the stakeholders involved in the design and implementation of that instrument. If one of the key players will not collaborate, it will not be successful.
 - Waukesha is building a new jail with a screening center that will use risk assessment tools as part of bail evaluation and has created a collaborating council that includes members from the entire system who will take part in the selection and approval of the risk assessment tool.
3. Written & Oral Presentation by Probation and Parole on February 6, 2003:
 - A variety of risk assessment tools are used to determine an offender's risk to re-offend, AODA needs and an assessment of risk and need to determine the level of supervision the offender requires.
 - The Level of Service Inventory (LSI) is a validated risk to re-offend instrument that provides information that is used in conjunction with the preparation of Pre-Sentence Investigations for the Courts. This instrument is scaled based on the level of risk to re-offend and can be re-administered during the course of supervision to see if the treatment and supervision interventions have reduced the offenders risk to re-offend.
4. Bureau of Justice Assistance: A Second Look at Alleviating Jail Crowding: A Systems Approach (Page 47)
 - To maximize its effectiveness, a pretrial service program should validate the risk assessment instrument that it uses to make recommendations for bail. The risk assessment tool needs to be normed to the population being assessed.

ALTERNATIVES:

1. Research Risk to Re-Offend Screening Tools. Based on that research and with the approval of the key players in the criminal justice system, develop and fund a Pre-trial Screening Service Program utilizing this locally normed validated risk to re-offend assessment tool. This program could be operated by an independent agency. Information collected should be kept in a shared data base to be available to law enforcement and other related agencies to assist in making decisions at key decision points in the criminal justice process.
2. Use existing WCS screening tools to enhance the nature of the information collected and use to make decisions on bail, diversion and alternatives to incarceration. However, unless there is agreement by the key players in the criminal justice system that these screening tools are valid and acceptable in making release decisions, this alternative will not be productive.

3. Adopt the risk-to-re-offend instruments currently in use by Probation and Parole and provide training and materials necessary to complete these assessments.

ADDITIONAL INFORMATION NEEDED:

1. Confirmation of the continued validity of the Risk to Re-Offend Instruments that are being considered.
2. Assess the degree of agreement and cooperation from other agencies utilizing screening and risk assessment tools to make these tools available and provide requisite training.
3. Assess the degree of agreement by the key players in the criminal justice system to participate in the development and use of risk assessment tools at key decision points and agreement to undergo training/orientation on use of the tools.

OBSTACLES:

1. Time and commitment to develop, train and operationalize the use of Risk to Re-Offend Assessment Tools.
2. The perception of the Court Commissioner that risk assessment tools would be useful only about 10% of the time and the judiciary non-receptiveness to the use of such tools. (Minutes of 3/14/03 Meeting of the Racine County Criminal Justice Coordinating Committee)
3. Lack of acceptance by any one or more members of the key players in the criminal justice system.
4. Lack of funding.

RECOMMENDATION:

Select a validated **risk to re-offend screening instrument**, approved by the Criminal Justice Coordinating Council to be used in making decisions on bail, release with conditions to alternatives to incarceration programs, and access to in-house treatment programs within the jail.

6. NEED FOR A SHARED CENTRALIZED DATA BASE AND PLANNING CAPABILITY

Although there are volumes of information collected by the criminal justice system, little is shared or available at the key decision points in the process or in a form that is usable for analysis. In addition, there is no evidence of a central plan or even a planning capability within the system.

PROBLEM STATEMENT:

The lack of an integrated county-wide planning capability for the County Criminal Justice System, that also involves the non-county based agencies who are major players in the system, is a problem because:

- Without such planning, and the coordinated data capability such planning would require, the system cannot possibly operate at optimal levels of fiscal efficiency and program effectiveness.
- The system has a culture that is unexamined by the players within the system, except in anecdotal form. This culture is alluded to in PONI, but only in a cursory way. However, this culture drives the decisions being made, mostly in unconscious ways. In a good strategic plan, this culture would be described and analyzed for beliefs, values, and effectiveness in supporting the vision/mission.
- As stated in the overview, planning is needed in addition to problem solving.

FURTHER EXPANSION OF THE PROBLEM STATEMENT:

In addition, the lack of an integrated, uniform, and coherent database, along with the software to manage and interpret it, is a problem. This is initially probably the **result** of the lack of comprehensive planning involving all aspects of the system, rather than a **cause**, but once such a lack occurs, the means and motivation for comprehensive planning is seriously compromised.

The data system is frustrating to many of the players within the system, and it was certainly frustrating to many members of our task force. Little of the data rises to the level of information, let alone knowledge or wisdom.* For instance, it is not possible, without considerable expense and expertise, to answer the question “who is in the jail” in

any way that is really useful for public policy decisions, or to answer social policy and political critiques of the system.

*The terms “data”, “information”, “knowledge”, and “wisdom” are sometimes referred to as falling along a continuum of usefulness in effectively planning and taking action in human affairs.

Data- “isolated bits and pieces, factoids, individual quantities, whose relationships and meanings are unknown, not clear, or ambiguous”.

Information- data that has been arranged and related so that the basic meaning is clear. Useful for short-term action.

Knowledge-The awareness of and collection of data and information over time, such that understanding of some complex entity is achieved or at least possible

Wisdom – Knowledge informed by experience, values, goals, and purpose such that important decisions can be made well, often with the greatest good as an outcome.

SUPPORTING DOCUMENTATION:

Special Note: The vast amount of data represented in this section alone speaks to the magnitude of the need for a centralized uniform, **but flexible**, data management system. The system must be flexible because each component of the criminal justice system has special needs. It must be uniform and centralized to aid in system planning and assessment.

As evidence for the above assertions about the data system, please note the following list of “existing statistics”, representing material presented to the Citizens’ Criminal Justice Advisory Task Force.

EXISTING STATISTICS

1. BJS Prison and Jail Inmates at Midyear 2001
WI -4.4% change admissions; 26.2% change in releases 1998-2000
2. PONI Appendix E Population Statistics: Racine County Jail, June 1, 1999
3. Carter Goble (CG) - p. 1-1 inmate population breakdown
p. 2.5-2-10 jail statistics
4. Sheriff’s Dept - Racine County Jail 2002 Population Report Jan1-June 30
5. Sheriff’s Dept - Racine County Jail 2001 Population Report July 3, 2002
6. Sheriff’s Dept - Current RACJ Inmate Sentence Status (pie charts, graphs, etc)
7. Sheriff’s Dept - Current Female Inmate Sentence Status (pie charts, graphs, etc)
8. Sheriff’s Dept - Inmate population statistical report 11/4/02
9. Sheriff’s Dept - 2001 Monthly average daily population
10. Sheriff’s Dept - 2001 Admissions Age breakdown
11. Sheriff’s Dept - 2001 Jail Admissions Breakdown
12. Sheriff’s Dept - 2001 Adult Sentence Status (pie chart)
13. Sheriff’s Dept - 2001 Juvenile Sentence Status (pie chart)
14. Sheriff’s Dept - 2001 RACJ Drug Charge Details
15. Sheriff’s Dept - 2001 Possession Only Drug Charge Details
16. Sheriff’s Dept - Jail Alternative & Reduction Programs 2001 Annual Report

17. Sheriff's Dept - Racine County Criminal Case processing data for 1996 through 2001
18. Sheriff's Dept - Daily Snapshot Data Report 1/1/02-11/5/02
19. Sheriff's Dept - Monthly Arrest Totals, 9/02, 10/02
20. Sheriff's Dept - Monthly Agency Arrest Totals, 10/02
21. Sheriff's Dept - Booking Log 11/5/02 00:00 to 11/5/02 18:19
22. Sheriff's Dept - Arrest Summary Report 11/6/02 00:00 to 11/6/02 23:59
23. Sheriff's Dept - Release Log 11/6/02 00:00 to 11/6/02 17:23
24. Sheriff's Dept - Person Information (example)
25. Sheriff's Dept - Book Sheet (example)
26. Sheriff's Dept - Charge Edit (example)
27. Sheriff's Dept - Sentence Edit (example)
28. Sheriff's Dept - Racine Jail Management System Inmate Health Screening (example)
29. Sheriff's Dept - Actual Numbers of Offenders in the Following Programs (updated information from Zimmerman)
30. Sheriff's Dept - Racine County Jail Population 11/7/02-1/7/03
31. Racine Police Department Report (sent to task force January 2, 2003)
32. Police Chief Spenner presentation:
 - Dispatch records, incident reports or criminal complaint reports
 - Racine County Criminal Case Processing data for 1996-2001
 - Jail and arrest reports from each of the suburban law enforcement agencies (all different formats, some using county software, some not)
 - 2001 Judicial Weighted Caseload Wisconsin Circuit Courts - Racine (5/24/02)
33. Profile of General Demographic Characteristics: 2000 - Racine County provided by Reyna Morales
34. Jail Inspector, Walt Morzy presentation:
 - "County's jail population is really a reflection of the county"
 - CG report - conservative numbers
35. Public Defender, Rick Jones memo dated January 22, 2003:
 - Q.3 workload (number of cases) noted on pp.4-8
 - Q.10 fields of information noted on page 19 "... we are not privy to. The SPD has recently implemented a new information system whose capabilities are still being developed."
36. Geoffrey Greiveldinger, Executive Director of NAMI Q.9 on statistical information: "NAMI Racine is not aware of routine measurements of the prevalence of mental illness in Racine County Jail (CJ)population, not of routine recordation of the charged offense of inmates who have serious mental illness..." 16% nationwide.

37. Attorney Reyna Morales (Hispanic Professional and Business Association)
- The undocumented are not counted, what % of population is Spanish speaking?

EVIDENCE:

Sources:

- January 9th Data Assessment Group of the Citizens Criminal Justice Advisory Task Force:
 - “... provided with a great deal of data, the data has not been analyzed. It is hard to interpret in order to get the “snapshot” of the jail population that the Task Force’s charge requires.”
 - “... There are too many data generating entities, all using different data and report systems”.
 - “characteristics of arrested people are not readily available...” “a clear picture of the CJS and in particular the jail population (a video clip of a given time frame) is needed which includes characteristics of the inmates and staffing needs.”
- Preventing Jail Crowding: A Practical Guide (entire document)
p.5 - Jail Population Analysis System.
- PONI
 - p. 7 -- “While existing information system handling ability is very limited, the community is installing a LEAP information system with a jail component that will better inform justice system decision making.”
 - p. 11 -- 5. Racine County Lacks Adequate Information “Racine County does not have the information needed to clearly articulate the current situation...”
 - p. 12 -- “No one could tell us who is in the jail.
 - p. 12 -- “The jail staff did not have a conceptual framework, or the tools to determine why the jail population rises and falls...”
 - p. 17 -- Conclusion — “Racine County lacks a clear articulation of the current situation. This stems from four things:
 - 1) A lack of basic information.
 - 2) The lack of a common conceptual framework for identifying and analyzing the nature and source of crowding at the jail, and in the justice system, generally;...”.
 - p. 18 - Recommendations – 1. Find out who is in the jail.

- P. 21 - Recommendation -- 5. The County Board and Sheriff should establish a population management plan.
- Debra Hall and CCJI group -- “still don’t know who’s in the jail” (endorses PONI recommendations).
- CCJI (by Attorney Jennifer Bias) -- Memo to Jean Jacobson June 1, 2002 - facts (data) outlined pp1-2.
- Debra and Ken Hall -- Questions re: CG p.2-4 data trend integrity (i.e., exaggerated admission trends, exaggerated inmate population trends, misleading peer county incarceration rate comparisons), over claimed inmate population reduction programs, unconstrained projections.
- CCJI -- spending more without knowledge is not prudent (handout).
- District Attorney Robert Flancher’s written response -- Q.11 (p.7) - “Our database is simple flat (single) table database. It is not a relational database. Therefore, we do not have many fields or search capabilities. We track names, DOB, court case number, police report numbers, victims’ names, requested charges, issued charges, next court date, and dispositions. Most of the fields are narrative fields. Since most data is entered in narrative form, searching for specific data is difficult except by defendant name and case number. . . We are working on a new database that will capture more information.”
- From suburban police chiefs’ meeting (January 14, 2003) notes: [different databases mentioned R: Base Database System, looking at, TIPS database, COPPERS, and CPLIMS.
- Terri Lee Danner presentation - no data included; when asked to compare national database to local/state – “don’t know”; has some data on sex offenders (Julia Stark).
- Terri Lee Danner written response to Q.3 re: database: “The DCC and the WI Department of Corrections have data systems to provide information to staff within the Department. . . None of these reports are available to the general public outside of Corrections. . . . However we do not have a specific database that could give recidivism information.”
- Wisconsin Counties Association. Local Criminal Justice Planning -The Wisconsin Experience (from Diane Lange) – p.5 reference to Data Collection: “Data and information are key to problem identification, problem analysis and problem solution. The criminal justice system is rife with anecdotal information, observations and some hard data. It is critical to examine all available information in any planning process. *Collecting real data about the system is an important means of reconciling reality to anecdotes and observations.* Also on page 5 – Strategic Plan - “A strategic plan and

rules for group operation are vital to the success of the project. Without them, the group is unable to set goals or the ability to steer a course to that goal...”

- Steve Swigart & Holly Patzer (WCS) - access to information; data/information (screening instruments)
- NIC Video “Jail Crowding: A Systemic Approach”
 - 2 factors– # of people going to jail and how long there
 - Who is in jail? Who should you have in jail? Who really needs to be in jail?
 - snapshot of information - who’s in jail? look like? risk factors?
 - which level of custody?
 - should not be making decisions without good information
 - vignette #3 - researcher and sheriff – dangers of researchers; who collects the data? What are the important questions? (Get everybody’s questions. Collect the data. Provide the databank. Collaborative analysis) – *one single database that’s integrated.*
- From Waukesha County Human Services Director, Peter Schuler - “Composite Activity of Data Workgroup Waukesha County Criminal Justice Taskforce – outline of activities

NIC Report - “Jail Crowding: Understanding Jail Population Dynamics” (blue cover)

- refer to appendices: Appendix A: Preventing Jail Crowding: A Practical Guide
- Appendix B: Jail Survey Form.
- Appendix C: Data Sources.
- Appendix D: Proposed Work Plan for Criminal Justice Analysts.
- Appendix E: Items to be Included in the Agency Database.
- p.vii - growth in jail despite low crime rates.
- p. 1 - “Failure to perceive who is in the jail and how the population may be changing thwarts communication and action regarding jail crowding and impedes a county’s ability to forecast future needs.”
- p. 10 - county data: an important supplemental indicator.

“A Second Look at Alleviating Jail Crowding: A Systems Perspective”

- p. 3 - need for a system wide approach.
- Chapter 3: Information Needs for a System wide Strategy pp. 19-29
- p. 80 - Strategy Implementation Checklist.
- Develop the necessary jail and system data.
- Examine data for indications of possible process changes and potential target populations for program changes.
- p.16 “Jail crowding is a criminal justice system issue - its roots lie with decisions made by officials outside the jail, such as police, judges, prosecutors, and probation officers. The jail is not an isolated entity but, rather, an integral component of a wider system ...”

ALTERNATIVES:

- Obtain a single software system for the county. Create a uniform relational data base/format for crime reporting, booking, and tracking through the system, including the courts, throughout the county. Need all jurisdictions, especially law enforcement west of interstate to participate in the sheriff's database. Software program (i.e., a coordinating criminal justice council like Waukesha County).
- Secure appropriate staffing to handle planning and data.
- Expand existing membership of the Criminal Justice Coordinating Committee.
- Have the County Board hire a Strategic Planning Firm.
- Use existing staff, blue ribbon volunteers, and corporate planners donated by area business leaders to develop a plan (working with leadership from within the system and the community); involve RCEDC, since RCEDC's Environmental Scan reveals potential medium & long term issues for the criminal justice system related to education, economic trends, and labor force needs.
- Hand off analysis of existing data to area university faculty and students, along with skilled volunteers and some county staff.
- Creative use of resources (i.e., UWP students to work on small projects one semester at a time; projects for local high school students; community volunteers; retired individuals)
- Find ways to improve data and information sharing at all points in the CJS.

Follow the NIC model:

- NIC Report - "Jail Crowding: Understanding Jail Population Dynamics" (blue cover)
- refer to appendices: Appendix A: Preventing Jail Crowding: A Practical Guide
- Appendix B: Jail Survey Form
- Appendix C: Data Sources
- Appendix D: Proposed Work Plan for Criminal Justice Analysts
- Appendix E: Items to be Included in the Agency Database

OBSTACLES:

- Large numbers of agencies involved, some of which are not county funded.
- Lack of funds and State budget crisis.
- Competing agendas.
- Lack of shared vision and consensus of leadership.
- Variety of entities that make up the system: they have differing constituencies to answer to, different funding sources, different operational concerns, different visions and philosophies.

- At this point, there does not seem to be broad general public knowledge, concern or interest in the issues. Thus community commitment to reform is lacking. What interest there is has been confined to public special interest groups.
- Lack of resources such as office space, hardware, and software.
- Personnel/staff required are in short supply.
- Expertise is needed.
- There are turf wars as a result of a lack of a comprehensive plan.
- Several players are struggling to bring coherence to the system, but not all the relevant decision-makers are at the table and there is no guiding vision or mission. Thus, the focus remains primarily at operational levels, and continues to be fragmented. A total Systems Dynamics approach is needed for effective understanding of such a complex system.
- Major economic and policy decisions are about to be made by the County Board and other players without a plan.
- There is no independent objective evaluation of the effectiveness of various programs. Evaluations are provided by program vendors.
- Time is of the essence on some items, yet there is no plan and very little time to create one.
- Time in the short and long range, to do the planning and bring together all the parties is a problem.

FURTHER INFORMATION THAT IS NEEDED:

- What we have by way of data needs to be compared with “what we need/want”
- To summarize, within the criminal justice system, there is a need for an improved common database and the software to analyze it is needed in order:
 - to find out who is in the jail
 - to better manage the jail population (i.e., hypothetical and actual changes)
 - to prevent jail crowding/overcrowding
 - to make informed policy and fiscal decisions
 - to plan for the short-term and long-range
- There does not seem to be adequate staff, technology, or software devoted to the data issue, particularly if accurate and usable information is sought for strategic planning, wise social policy decisions, and responsible fiscal decisions.
 - What planning has gone on? What planning documents exist?
 - We were told that there had been progress towards a uniform data system a few years ago, but that this process was pre-empted by the Central Dispatch issue. What happened to that work?
 - What would it cost to properly build an ongoing planning capability and data system?
 - Does the current Coordinating Committee see itself as the planning body? Does it have the resources to do that work?

- What are the plans for Information Technology in the county and the various agencies that are part of the CJ system?
- Missing Statistics.
- Preventing Jail Crowding: A Practical Guide (entire document)
 - p.5 - jail population analysis system - notes essential data elements (person identifier, booking event number, sex, booking date, release date, release time, release type)
 - Formolo (sheriff's administration): online 2 years with new software package; code everything off the most serious offense
 - NIC Video "Jail Crowding: A systemic approach"
Basic data to collect: demographic: age, race, gender; offense crime type, arrest crime, length of stay by crime type, felony-misdemeanor, type of release, objective risk score, status - sentenced/hold/pretrial; community ties, criminal history

TIMELINE:

- Short-term:
 1. Figure out what is the most information needed and where is it? How to retrieve it? How to make it usable and accessible?
 2. Break down tasks into small, workable and affordable pieces.
 3. In the next 60 days, the County should create a "crash" strategic planning effort, involving no more than two days of people's time, to set a preliminary overarching plan and to guide the board's decisions on the Task Force short term recommendations.

- Long-term:
 1. Need a strategic plan.
 2. The timeline is a problem in and of itself. Some problems are of such serious concern that they cannot wait for a fully developed planning process. Yet serious irreversible errors, especially around building decisions, could be made without an overarching vision and plan.
 3. Parallel tracks of serious planning/data analysis and short-term action need to be followed.

RECOMMENDATION:

Develop a shared, expanded, **centralized** data base (to include information from risk to re-offend screening instruments when available) for use by **all** criminal justice and collateral agencies in making judgments at key decision points and for future criminal justice planning efforts.

7. YOUTH ISSUES

How many new adult offenders enter the system will be a by-product of the numbers entering the juvenile system. Discouraging in this regard is the fact that the Racine Unified School District has troublesome dropout, graduation, and disciplinary statistics.

PROBLEM STATEMENT:

Special Note: The Criminal Justice Task Force must add this caveat to the following remarks: The Task Force **DID NOT** focus on the juvenile justice system in the depth that we focused on the rest of the system. Such focus did not appear to be part of our charge. However, in retrospect, that was probably an error, since the two systems are clearly interrelated. There are many issues that should be more deeply explored in this area, and the Task Forces wishes it had the time to do so. For instance, juvenile issues related to drugs and gangs clearly impact significantly on the adult system and overall incarceration rates. On the other hand, the juvenile system is clearly a vastly different system than the adult criminal justice system. But because of our cursory attention to the juvenile justice system, the following remarks must be seen as suggestive for further study, not definitive statements.

- The Task Force believes that in order to decrease the number of adults involved in the criminal justice system, it is necessary to decrease the number of juveniles involved in the juvenile justice system because such offenders have a high probability of becoming the future adult offenders.
- The Racine Unified School District, out of the 10 largest districts in Wisconsin, has the highest dropout rate, lowest graduation rate, highest out-of-school suspension and expulsion rate, (from report dated April 1, 2002 by the Racine County Economic Development Corporation.)
- There continues to be an increase in the number of juveniles detained in Juvenile Detention. In the year 2000 there were 2100 juveniles, in the year 2001 there were 2434 and in the year 2002 there were 2634. (Information from the data base of the Juvenile Detention Department of Racine Human Services Department.)

- Social and economic trends noted in RCEDC’s Strategic Plan (see RCEDC editorial note, p.3) do not bode well for efforts to control the rise in the jail population in the mid-to-long term by improving the prospects of youth. To wit:
 1. Racine Unified School District’s performance data mentioned above.
 2. Such data will be even worse when disaggregated for minority groups.
 3. Racine has a high (11%) unemployment rate.
 4. Jobs available are aimed at a well-trained, technically skilled work force; with fewer low skill jobs available. Obviously, dropouts and other non-graduates will not be trained to participate in such a work force. A rise in crime from such a group would be probable.
 5. Job growth being planned and sought for Racine County Economic Development emphasizes a technically skilled and trained labor force. As it is, new job growth is less than half the national rate.
 6. Racial/ethnic diversity continues to grow. Hispanics represent the greatest percent increase, African-American are largest in actual numbers. Language and other cultural barriers are increasing. These factors make contacts with the juvenile criminal justice system more problematic, potentially resulting in more and longer jail stays.
 7. State budget cuts could lead to the loss of local jail and K-12 public educational programming, consequently leading to an even more poorly prepared youth population cohort.

ALTERNATIVES:

- Provide funding for youth diversion programs.
- Explore more integrated services to youth with all agencies. Early intervention programs, through schools and other agencies (Head Start, Perry – High Scope studies), have a well-documented record of reducing criminal behavior.
- Encourage and support the Community Criminal Justice Initiative Committee which is in the process of studying the Juvenile Justice System.
- Support the three year study that is starting through the Racine County Human Services Department with the primary goal of decreasing the number of minority youth in the Racine County Detention Center. (2001: 62% were minority- 50% African Americans, 12% Hispanic.)
- Explore new approaches to juvenile detention for first-time and non-violent juvenile offenders, to be funded and supported by multiple public-private agencies. Emphasize job skill/technical/literacy education and eradication of criminal behavior/thought patterns, using educational methods known to work with such populations, rather than fads and pet projects, many of which have been demonstrated as ineffective over the years. Engage local educators representing at least the two largest K-12 districts in the county, colleges and university, Human Services, other concerned agencies, and the private sector in researching and creating such a program, to be held away from the downtown jail-detention center facility, in some existing site. Juvenile detention facilities freed up can be altered to increase adult jail capacity.

OBSTACLES AND FURTHER INFORMATION NEEDED:

- Juvenile justice and other youth issues will require more detailed review and study.

RECOMMENDATION:

Develop a strategic plan and strategy to decrease the number of juveniles involved in the juvenile justice system with a goal of ultimately reducing the number of adult offenders entering the system.

8. RACIAL/ETHNIC DISPARITIES IN THE CRIMINAL JUSTICE SYSTEM

“The national black/white disparity in imprisonment is 7:1 but in Wisconsin it is 20:1 and Wisconsin ranks as the 3rd highest state in racial disparity in imprisonment”.

(Racial Disparities in Criminal Justice in Wisconsin. Dr Pamela Oliver, UW-Madison Page 1

For validation, one needs to look no further than the Racine County Jail where 43% of inmate admissions are African American while the City of Racine’s African-American Population is 20.3% and Racine County’s African American population is 10.5%. (Material provided by Sheriff McReynolds during presentation on 11/7/02)

PROBLEM STATEMENT:

The racial/ethnic disparity in arrests and jail detention contributes significantly to the perception that crime is a racial issue in Racine. However, at the same time, this only increases the problems and issues that face the racial/ethnic communities in Racine and treatment and intervention programs are either unavailable or insufficient to stop the revolving door of recidivism.

For instance, in the African American Community:

- Less than 2% of white Racine County residents (157,378 white residents) were admitted to jail while 20% of African American Racine County residents (19,909 residents) were admitted. However, of those who remain in jail after arraignment 50% are African American while 43% are white. (Material provided by Sheriff McReynolds during presentation on 11/7/02).
- An estimated 12% of black males in their twenties and early thirties were in prison or jail in 2001. (Bureau of Justice Statistics at Midyear 2001 page 12)
- Wisconsin led the Nation with an estimated 4058 black prison and jail inmates per 100,000 black State residents. (Bureau of Justice Statistics at Midyear 2001 page 12)

- For those offenders who are jailed:
 - 33% lose their apartments or are evicted by family or friends.
 - 33% have personal property lost or stolen.
 - 66% of those with jobs lose them.
 - 66% experience strained family and social relationships.
 - Odds of sexual assault are up to 5 times worse than in a prison.
 - Self-destructive behavior increases.
 - Suicide odds increase five-fold.
 - Legal defense is more difficult, odds of a longer sentence increase.
(Justice Quarterly 7(1):70-102 “The Jails and the Community” John Klofas)
- Wisconsin incarcerates African American juveniles at a rate nearly nine times the rate for white juveniles, the sixth highest rate among all states.
- African Americans do not have the same opportunities. Race does matter and has always mattered. The disproportionate number of African Americans who are arrested instead of given citations or diversions end up with arrest records that affect their future opportunities both within and outside of the criminal justice system. Prior record **does matter** at key decision points in the process and works to the disadvantage of African Americans. (Minutes from Presentation by Attorney Richard Jones State Public Defender on 2/20/03.)

The following further evidences the impact of racial/ethnic disparity:

- The Hispanic community is the fastest growing minority in Racine County and represents almost 8% of the population but account for 10% of all jail admissions. Language barrier issues remain a concern, specific to many of these offenders.
- Wisconsin incarcerates Hispanic juveniles at a rate nearly four times the rate for white juveniles.

However, Racine County’s “...black/white disparity has generally been the lowest of the counties examined and has declined from 18% in 1990 to 14% in 1999.Blacks are principally sentenced for drug offenses with assaultive offenses second.” (Racial Disparities in Criminal Justice in Wisconsin. Dr. Pamela Oliver UW-Madison November, 2001)

ALTERNATIVES:

- Give public recognition and commitment to investigating and addressing the issue of racial disparity in the criminal justice system; develop a **strategic plan** for data collection and the identification of possible interventions at each of the criminal justice system key decision points.
- Include people of color as equal partners in criminal justice councils and committees to reflect the issues and concerns of the minority community.

OTHER INFORMATION NEEDED:

- Data on jail release by race/ethnicity and conditions of release.
- Data on arrests vs. citations by race/ethnicity.
- Data on bail and bail modifications by race/ethnicity and offender characteristics.
- Data on sentencing by race/ethnicity for like offenders in jail vs. out on bail.

OBSTACLES:

- The disinclination to maintain a dialogue and discuss racial/ethnic issues.

RECOMMENDATION:

Give public recognition and commitment to investigating and addressing the issue of racial/ethnic disparity in the criminal justice system; develop a **strategic plan** for data collection and the identification of possible interventions at each of the criminal justice system key decision points.

9. MENTAL HEALTH ISSUES

A “snapshot” assessment of Racine County jail inmates in August 2001 taken by the jail nursing staff showed that 25.2% acknowledged a mental health problem, acknowledged taking psychoactive medications, or were actually taking psychoactive medications though denying mental health problems.

PROBLEM STATEMENT:

People with serious mental disorders constitute a substantial and disproportionate segment of the jail and prison population nationwide and in Racine County. Many become “repeaters” in the system, costing both the criminal justice system and local communities significant resources and resulting in great pain to the inmates and their families. Lack of adequate treatment either in lieu of or during incarceration often means that the jail becomes a revolving door for this population.

Part of the unnecessary burden on the jail consists of those persons whose arrests may be a substitute for more effective mental health interventions. Too often, a mentally ill person may be arrested for a minor offense as the situation demands intervention but, because of the lack of an available mental health crisis facility, the officer has few options other than arrest and incarceration. While St. Luke’s Hospital provides essential care for some persons in mental health crisis, it is generally only able to accept persons who meet the rigorous statutory standards for involuntary detention. Thus, the jail becomes an arguably necessary but inadequate location for pretrial detention.

The jail also houses a number of mentally ill persons who have committed serious crimes and may be sentenced to a substantial period of incarceration. For this population, rehabilitation and prevention of recidivism may be more effectively achieved through a treatment-based approach rather than through simple incarceration.

While the criminal justice system in Racine County has recognized these problems, the lack of adequate resources has thus far prevented a satisfactory response to the problem.

FURTHER EXPANSION ON THE PROBLEM STATEMENT:

Although access to mental health and substance abuse services, food stamps and the income support that can pay for housing and other necessities is generally available to persons with mental illness through federal entitlement programs, many of those inmates with serious mental disorders either have lost or never had these essential federal entitlements. For those who have had them, a stay of over a month in the county jail is enough to dis-enroll a mentally ill person from entitlements such as Social Security, Medicaid or Medicare. Once released from jail that person is eligible to receive such benefits, but it may take weeks or months for the programs to be restored. Thus, involvement in the criminal justice system may have significant and unintended economic consequences for both the inmate and, ultimately, the community.

The problem is further exacerbated by the policy of the Human Services Department, which prohibits the providing of services to those persons who are currently charged with crimes. This causes a serious gap in services available to the mentally ill in Racine County.

SUPPORTING DOCUMENTATION:

- Nationally, almost 2 million new jail admissions each year are of adults with mental illnesses—35,000 a week. More than 16% of jail inmates have a mental illness. National statistics show that 70% of adult jail inmates with mental illnesses are there for nonviolent offenses.
- Youth in the juvenile justice system have higher rates of mental health disorders than youth in the general population. 80% or more of the juvenile justice population have mental health disorders.
- A “snapshot” assessment of Racine County jail inmates in August 2001 taken by the jail nursing staff showed that 25.2% acknowledged a mental health problem, acknowledged taking psychoactive medications, or were actually taking psychoactive medications though denying mental health problems.
- The documents that Geoffrey Greiveldinger, Executive Director of NAMI in Racine County, presented to the Task Force are excellent resources to serve as background to understanding the issues as well as understanding the foundational work that has been undertaken in addressing the issue of inmates with mental illness in the criminal justice system.

ALTERNATIVES:

1. The Task Force on Reducing Incarceration of People With Mental Illness in Racine County, convened in 1999 by then-Sheriff McReynolds, made a number of recommendations in 2000 which this Task Force adopts:

- Increase and routinely repeat training of all county law enforcement agencies to help officers better recognize and respond to situations that are manifestations of mental illness.
 - Establish a facility that can provide mental health services to persons who are in crisis, but may not meet criteria for detention or civil commitment.
 - Develop alternatives (both pre- and post-trial) for persons with mental illness whose criminal conduct can be better addressed by treatment than by incarceration.
2. Chief Judge Ptacek’s Mental Health Task Force is addressing the ongoing problem of the mentally ill in the criminal justice system. Areas of cooperation include:
 - better training for law enforcement officials, district attorney personnel, and judges, in cooperation with NAMI Racine (The National Alliance for the Mentally Ill).
 - a protocol within the District Attorney’s office to address the handling and diversion of mentally ill persons charged with “nuisance crimes”.
 - consideration of an emergency mental health facility with competent staffing. [Racine’s Crisis Center is not staffed with medical staff so can only serve as a holding station.]
 3. Clermont County has a Mental Health and Recovery Board that is dually funded serving mental health and substance abuse consumers, their families and the community. Since it began in March 2000 until December 2002 there have been 252 individuals in the jail diversion program. Of these 252 individuals referred, they had been sentenced to 37,626 days. Of this amount 8,166 days were served and 29,463 days were suspended. At the county jail per diem rate of \$57, the sentenced days would have been \$2,144,853. The grant amounts and treatment costs have been \$526,089 to date, resulting in savings of \$1,618,764. As to recidivism, during the same period 29 (11.5%) have been convicted of a new offense. (Clermont County Mental Health and Recovery Board “Jail Diversion Program, Report Period: March 2000-December 2002.)
 4. Ensure adequate funding for psychiatric and psychological services provided to persons in the jail, including fulltime nursing coverage and an expansion of psychological services within the jail.
 5. Eliminate unnecessary budgetary distinctions for mental health services provided to jail inmates, i.e., currently, the sheriff is responsible for the medical care of a person in the jail; at other times, HSD may be responsible for that person’s psychiatric care.
 6. Increase available space in the jail to permit appropriate delivery of psychiatric and psychological services.
 7. Early diagnosis and mental health treatment of children/youth in all Racine County Schools.

FURTHER INFORMATION THAT IS NEEDED:

Obtain cost projections for the alternatives set forth above.

OBSTACLES:

- The policy of the Department of Human Services not to provide services to mental health offenders with pending charges.
- Diffusion of authority. The issue of treatment of the mentally ill in the criminal justice system involves many actors: the Sheriff's Department, the District Attorney's office, the Circuit Court, the Department of Corrections, the Human Services Department and, to some extent, the entitlement rules of state and federal assistance programs. No one entity has authority over the others, though the County Board has funding authority over most County agencies. Because of this diffusion, more interdependence, sharing of information and improvement in both formal and informal channels of communications is needed.
- Lack of current funding.
- Confidentiality laws regarding sharing of medical information.
- Stringent laws regarding involuntary commitment.

SUPPORTING DOCUMENTATION:

1. A Bazelon Center Issue Brief: "A Better Life—A Safer Community Helping Inmates Access Federal Benefits" by Judge David Bazelon, Center for Mental Health Law, Washington, DC, January 2003; www.bazelon.org
2. National Association of Counties, Legislative Department, Edwin Rosado, Director; "The Mentally Ill in Jail."
3. National Institute of Justice, "Providing Services for Jail Inmates with Mental Disorders" by Henry J. Steadman, Ph.D., and Bonita M. Veysey, Ph.D.

RECOMMENDATION:

Recognize that people with serious mental disorders constitute a substantial and disproportionate segment of the jail and prison populations nationwide and in Racine County and that additional resources must be allocated to address this problem.

10. PUBLIC EDUCATION ON CRIMINAL JUSTICE ISSUES

The Citizens of Racine County must have an opportunity to understand the issues and then determine how best to influence their elected officials to initiate the programs and changes that may be needed. Without public support there is little chance of changing the status quo.

PROBLEM STATEMENT:

Determining what the public values and the support level for criminal justice programs and change is vital to determining the extent to which any recommendations made by this Task Force can be initiated. The elected officials of Racine County are expected to reflect the culture, values and norms of the communities; however there are citizen groups that have outspoken objections to further expansion of the County Jail. There is a need to determine where the citizens of Racine County stand on the criminal justice issues presented in this report.

SUPPORTING DOCUMENTATION:

Dr. Edward Latessa Professor of Criminal Justice, University of Cincinnati, completed a national study in 1998 of the public's attitudes toward rehabilitation and punishment. Among his findings are the following:

- While citizens want criminals to be punished, most support the rehabilitation of offenders.
- The public has grown more intolerant of crime; however policy makers consistently overestimate public punitiveness and consistently underestimate public support for rehabilitation.
- The public is fairly rational in their views: they favor a balanced approach to dealing with crime.
- They support punishment or getting tough, but they also believe it is important to rehabilitate offenders.
- They support imprisonment but mainly for serious and violent offenders.
- They agree to use community corrections if it involves more than just putting them on the street with no supervision.
- They are very supportive for rehabilitation for juveniles.

- They are very supportive of early intervention programs, even favoring using tax dollars for these programs over building more prisons and jails.
- The public wants more punishment and accountability, but they also support treatment and rehabilitation.
- The public wants programs that work!

ALTERNATIVES:

1. Provide public education on the studies and results of Dr. Edward Latessa's research on what works in corrections such as programs that:
 - Are intensive, behavioral in nature and focused on higher risk offenders.
 - Have behaviorally oriented treatment and strategies enforced in a firm but fair manner by qualified staff.
 - Target crime-producing behavior.
 - Match offenders, staff and programs.
 - Disrupt criminal networks.
 - Focus on relapse prevention.
 - Have high levels of brokerage.
2. Provide public education on the characteristics of effective correctional programs that:
 - Are intensive and behavioral in nature, occupy 40-70% of the offender's time while in the program and last 3 to 9 months in duration.
 - Receive appropriate offenders and conduct standardized and objective assessment of offenders on risk, need and responsiveness factors.
 - Target crime-producing behaviors such as anti-social attitudes, self-control, style of thinking, chemical dependencies and peer associations.
 - Have educated, qualified, experienced, well trained and supervised staff.
 - Provide quality assurance and regularly conducted evaluations.
 - Have support both internally and in the community.
3. Give the public both the good news and the bad news. The bad news is that in the general population. These percentages apply:
 - 50-80% The drop out rate from self-help groups.
 - 20-80% The drop out rate for lifestyle change programs for obesity, stress management and smoking.
 - 75% The estimated attrition rate form alcoholism treatment programs.
 - 31-56% The percentage of offenders who attend no more than four mental health clinic sessions.
 - 80% The median rate for non-adherence with advised health care practices by health care professionals.

OTHER INFORMATION NEEDED:

1. Updated information on what works in corrections, cost estimates and program development information.
2. Evaluation and assessment of existing Alternative to Incarceration programs to determine their adherence to what works in corrections.
3. Reports from other states that have developed jail related programs using the characteristics of effective correctional programs.
4. A process to provide this information to the criminal justice system, community leaders and the public to determine the degree of support.

OBSTACLES:

1. The lack of a panacea or “quick fix” solution to the problem
2. Cost
3. Public apathy
4. Current reliance on programs that Dr. Latessa has demonstrated don’t work such as:
 - Boot Camp
 - DARE
 - Shock Incarceration
 - Electronic Monitoring without Treatment Programming
 - Punishment Only
 - Freudian approaches
 - Scared Straight Programs

RECOMMENDATION:

Provide for a series of public education meetings throughout the county to present and explain the Task Force’s recommendations and to secure broad and diverse public input with respect to the recommendations. Produce and publicly disseminate an annual criminal justice evaluation report.

VIII. SUMMARY AND CONCLUSIONS

The Racine County Board Resolution 2002-66 recognized that overcrowding in the County Jail has been historic and gone on unabated, despite the best efforts of community leaders. The Citizens' Task Force was established to determine why the problem persists and after its' in-depth examination, to develop recommendations to the County Board Public Protection and Justice System Committee.

During seven months of intensive study the fifteen member Task Force heard far-ranging testimony, reviewed complex documents and held over twenty meetings to discuss and dissect an enormous amount of information. We found that jail overcrowding is a symptom of many complex interacting forces, is systemic in nature, and defies any one solution to the problem. If permanent long-term solutions to jail overcrowding are to be found, it will only be realized if there is voluntary agreement and support within the criminal justice system and the external collateral agencies that work with the system, to launch a unified, cooperative, and collaborative planning effort that addresses the recommendations of this report. The Task Force is well aware that "the devil is in the details", "there are no zero cost options", and that firm leadership and community support is a prerequisite to any change.

Ten recommendations were developed, each include supporting documentation, a list of alternatives, what additional information is needed and possible obstacles. Most of the recommendations are interconnected. Further, as the Task Force studied the information, it soon became apparent that there were many other connected issues that deserved attention but time did not permit further review. These included a more complete examination of issues related to the juvenile offender, gender issues and the socioeconomic complexities that foster crime producing behaviors.

The Task Force has identified two short-term critical issues that deserve immediate attention, the sally port/booking area and the issue of the relocation of the Huber facility to an off-site brownfield area. The Task Force strongly supports the need to educate and involve the public in determining the level of support for the recommended initiatives and changes. The Task Force also strongly supports a broad Criminal Justice Collaborative Council to provide the necessary leadership, planning, and problem solving required to implement the recommendations put forth by the Task Force.

The Task Force has given its best and most tireless effort to the charge given in County Board Resolution 2002-66, supports wide distribution of this report and has provided a suggested distribution list. The Task Force looks forward to making any and all requested presentations to the Public Protection Committee, the County Board, the County Executive and the public. Our sole request is that action on this report not be delayed.

IX. RECOMMENDATIONS FOR DISTRIBUTION OF TASK FORCE REPORT

The mission of this Task Force could not have been accomplished without the assistance and cooperation of many individuals and agencies. We strongly believe that they should be included in the distribution of copies of this report. We also recommend that this report be placed on the Racine County Website. Below is our recommended list for distribution of this report.

- All agencies/associations that made presentations to the Task Force
- UW Parkside Students
- Racine County Police Chiefs
- Sheriff
- Mayor
- Task Force Members
- Judges
- Court Commissioner
- County Board Members
- County Executive
- Peter Schuler
- School Superintendents
- Racine County Municipalities
- National Institute of Corrections
- Racine County Corrections Advisory Board
- Racine Public Library
- UW-Parkside Library
- Graham Public Library-Union Grove
- Waterford Public Library
- Burlington Public Library
- Westine Report
- Racine Journal Times

X. SOURCES OF INFORMATION

PRESENTATIONS (in no particular order)

- William McReynolds, Former Sheriff (Current County Executive)
- Captain Robert Carlson, Jail Administrator (Appointed as Sheriff 6/03)
- Lt. James Formolo
- Gerald Ptacek, Chief Judge
- Robert Flancher, District Attorney
- Michael Nieskes, Deputy District Attorney
- Cheryl Zimmerman, ZCI
- Earl Christiansen, CCJI
- Attorney Jennifer Bias, CCJI
- Reverend Lawrence Kirby, CCJI
- Reverend Melvin Hargrove, CCJI
- Kenneth & Debra Hall, Concerned Citizens
- David Spenner, Chief of Police, Racine
- Ronald Patla, Chief of Police, Burlington
- Michael Mehring, Chief, Mt. Pleasant
- James Majdoch, Chief, Mt. Pleasant.
- John Barnes, Assistant Chief, Caledonia.
- Ray Littman, Chief, Waterford.
- Walter Morzy, Wisconsin Office of Detention Facilities
- Attorney Richard Jones, Office of State Public Defender
- Troy Cobb, NAACP
- Mamie Crockett, NAACP
- Carol Jones, NAACP
- Cory William, NAACP
- Keith Ferguson, NAACP
- Terri Lee Danner, Chief Region 2 Community Corrections
- Julia Stark, Region 2 Community Corrections
- Diane Lange, County Board Supervisor
- Debbie Jossart, RCHSD
- Mary Jean Smith, RCHSD
- Clement Knight, RCHSD
- Steve Swigart, WCS
- Holly Patzer, Mediation Center of Waukesha County
- Geoffrey Greiveldinger, NAMI

- Attorney Reyna Morales, Hispanic Business and Professional Association
- Focus Group Meeting with Suburban Police Chiefs
- Meeting with Peter Schuler, Waukesha County Criminal Justice Task Force Coordinator
- Kevin Gabbey, Jill Kayon, and Heidi Schneider, UW Parkside Student Presentation: “Options to Expansion”

ARTICLES AND REPORTS:

- PONI Jail Report, 1999
- Carter Goble Jail Report, 2001
- Racine County Jail Annual Inspection Reports 2000-2002
- Guidelines for Developing A Criminal Justice Coordinating Committee, NIC
- Bureau of Justice Statistics, Midyear 2001
- Bureau of Justice Statistics, Prisoners in 2001
- Bureau of Justice Statistics 2002: At a Glance
- Criminal Hospital (Article on mentally ill prisoners)
- What Every Funding Authority Needs to Know (NIC)
- Providing Services for Jail Inmates with Mental Disorders
- Preventing Jail Crowding, A Practical Guide (NIC)
- Jail Crowding, Understanding Jail Population Dynamics (NIC)
- Jail Design Guide (NIC)
- Deputies or Correctional Officers in Jails: Is there a Controversy, Article by David Struckhoff. Ph.D
- Orange County California RFP, (article on pros and cons of using correctional officers vs. sworn deputies in county jails)
- Racial Disparities in Criminal Justice in Wisconsin, Dr. Pamela Oliver
- Waukesha County Criminal Justice Task Force Updates
- Waukesha County Criminal Justice Coordinating Task Force Proposals
- Waukesha County Composite Activity of Data Workgroup of Criminal Justice Taskforce
- Waukesha County Pre-trial Sub-committee Report to the Criminal Justice Collaborating Council
- Repeal and Recreation of Waukesha County Code to Create Criminal Justice Collaborating Council
- Checklist for Forming a Criminal Justice Collaborating Council
- Rationale for a Criminal Justice Collaborating Council
- Results of Review of Criminal Justice Collaborating Council with County Executive
- Waukesha County Criminal Justice Collaborating Council Program Description
- Waukesha County Criminal Justice Task Force Values Spectrum
- National Institute of Corrections Video: Alleviating Jail Crowding: A Systematic Approach (2001)
- Milwaukee Journal Sentinel Article 4/28/03 "Racine County Needs List"
- Sustainable Racine Letter 4/30/03 "Brownfield Development"
- U.S. Census Bureau State & County Quick Facts "Racine County, Wisconsin"
- "What Do We Know About Correctional Intervention" Dr. Edward Latessa, Division of Criminal Justice, Cincinnati, Ohio. 1998.
- Preventing Crime: What Works, What Doesn't, What's Promising. A Report to the United States Congress. NIC.

- RCEDC Our Community Plan for Economic Development in Racine County, 2002.
- “Drug Court Can Work: Would Something Else Work Better?” Criminology and Public Policy.
- “Racial Disparities in Wisconsin’s Juvenile Justice System” Capitol Comments.
- “Reducing Crime. Rehabilitation is Making a Comeback” Roger Doyle.
- Thurston County Superior Court Drug Court Program
- Racine County Jail Site Visit
- Kenosha County Detention Center Site Visit

MATERIALS AND REPORTS PROVIDED BY PRESENTERS

- Racine Police Department 2001 Annual Report
- Office of State Public Defender Written Response to Task Force Questions
- Community Corrections Written Response to Task Force Questions
- Sheriff's Written Report to Task Force.
 - Racine County Jail 2001 & 2002 Population Report
 - 2001 Racine County Jail Drug Charge Details
 - CJMS Booking & Release Codes
- Office of Detention Facilities:
 - Duties and Responsibilities
 - Recently Completed Jail Construction Projects in Wisconsin
- Economic Comparison of the Racine County Criminal Justice Costs & Outcomes to all other Wisconsin Counties
- Questions Regarding the Carter Goble Report
- WCS 1999 Annual Report
- Notes of Presentation by Earl Christiansen
- CCJI Recommendations for the Task Force
- District Attorney Written Response to Task Force Questions
- ZCI Offender Participation Statistics
- Racine County Criminal Cases Processed 1996-2001 Data
- A General View of the Criminal Justice System (flow chart)
- ZCI Power Point Presentation on Jail Alternative and Reduction Programs
- Kenosha County Detention Center Living Free Program
- Local Criminal Justice Planning: The Wisconsin Experience (Wisconsin Counties Association)
- Wisconsin Correctional Service Annual Report, 2001
- Wisconsin Correctional Service (WCS) Directory of Services
- WCS Background & Programs
- WCS Pretrial Service-Bail Evaluation Summary & Worksheet
- WCS Bail Evaluation Form
- WCS Client Intake Sheet
- Response to Task Force Questions by Geoffrey Greiveldinger, NAMI
- NAMI Mission Statement
- Addendum to NAMI Report
- Study on Mental Health Offenders in the Racine County Jail
- NAMI Statistics
- Random Sample of RCJ Mental Health Inmates
- Alternatives to Incarcerating Persons with Mental Illness: Pilot Program for Diversion of Arrested Persons

- Alternatives to Incarcerating Persons with Mental Illness: Proposed Program for Preventing Unnecessary Arrests of Persons with Mental Illness
- Draft Proposal: Racine County DA's Office Charging Procedure to Address Prisoner Referrals for Individuals with Suspected Competency Issues
- Report of Task Force on Reducing Incarceration of People with Mental Illness in Racine County
- A Second Look at Alleviating jail Crowding: A Systems Perspective (Dept. of Justice)
- Racine County Economic Development Corporation Report, April, 2002
- UW Parkside Student Report: "Options to Expansion", May 2003.

XI. ACRONYMS AND TERMS USED IN THIS REPORT

- AODA- Alcohol and Other Drug Abuse.
- AA – Alcoholics Anonymous
- ADP – Average Daily Population (of the Racine County Jail or any other institution of incarceration)
- ATI – Alternatives To Incarceration.
- BJS – Bureau of Justice Statistics.
- Brownfield – Previously used community real estate/ facility now available for adapted new uses; as an alternative to entirely new development and construction.
- **CCJATF – Citizens Criminal Justice Advisory Task Force; the committee that produced this report, generally referred to as the “Task Force” in the body of the report.**
- CJCC – Criminal Justice Coordinating Council (a body proposed in this report).
- CARTER – GOBLE – Report: *Racine County Jail Needs Assessment* (October 2001). A report commissioned by the Racine County Board.
- CCJI – Community Criminal Justice Initiative Committee.
- CG- Carter Goble
- CJ- Criminal Justice
- CJS- Criminal Justice System
- CPLIMS, TIPS, COPPER – Are all acronyms for criminal justice software programs. CPLIMS is used by the County Sheriff.
- DARE – Drug Abuse Resistance Education Program
- DCC – Division of Community Corrections
- DOB- Date of Birth
- DTC- Drug Treatment Court
- EMP – Electronic Monitoring Program
- ESL – English as a Second Language (Program to help non-English speakers transition quickly to English)
- FTE – Full Time Employee.
- GED – General Education Diploma – A diploma given to non-high school graduates who have passed a battery of tests. Often sought in lieu of a high school diploma by dropouts, but not always treated as a high school equivalent by society.
- HSED – High School Equivalency Diploma
- I – 94 – Interstate Highway 94; referenced in this report as an informal non – governmental boundary between Eastern and Western Racine County.
- HSD – Human Services Department (of Racine County).

- Huber – The Huber work release program, in use at the Racine County Jail. Generally, Huber programs require different detention facilities other than regular secure jail cells.
- JD- Juvenile Delinquent
- LEAP- Law Enforcement Automation Project
- LSI – *The Level of Service Inventory*, a validated “risk to re-offend instrument” of the type recommended in this report.
- NAACP – National Association for the Advancement of Colored People. Long – standing civil rights and equal opportunity advocate organization for African – American Citizens.
- NAMI – National Alliance for the Mentally Ill – Advocate and civil rights organization for those suffering from mental illness.
- NIC – National Institute of Corrections.
- NIMBY – “Not In My Back Yard”. A term used when groups (communities, neighborhoods) are reluctant to host in their immediate community projects and programs deemed undesirable, though perhaps necessary.
- OAR – Operating (a motor vehicle) After Revocation (of one’s license).
- OASRS/SP – Operating After Revocation or Suspension.
- OMVWI – Operating Motor Vehicle While Intoxicated.
- OWI – Driving While Intoxicated.
- PONI – *Planning Of a New Institution, Phase I (1999)*. A report commissioned by the Racine County Board.
- RACJ – Racine Association of Criminal Justice
- RCCCAB – Racine Combined Community Corrections Advisory Board.
- RCCJCC – Racine County Criminal Justice Coordinating Committee. Coordinating group chaired by Chief Judge Ptacek, which has some aspects of the type of coordinating council advocated by the Task Force.
- RCEDC – Racine County Economic Development Corporation.
- ROR – Released on Own Recognizance.
- RPS- Racine Psychological Services
- SQ- Square Footage
- UWP – University of Wisconsin – Parkside.
- WCS – Wisconsin Correctional Services.
- ZCI – Zimmerman Counseling Incorporated. Private human service organization that contracts to run Racine County Jail rehabilitation programs.

XII. MEETINGS DATES OF TASK FORCE:

- October 21, 2002
 - November 7, 2002
 - November 23, 2002
 - December 5, 2002
 - January 9, 2003
 - January 14, 2003 (Focus Group Meeting with Suburban Police Chiefs)
 - January 23, 2003
 - February 6, 2003
 - February 20, 2003
 - March 6, 2003
 - March 27, 2003
 - April 3, 2003
 - April 10, 2003
 - April 17, 2003
 - May 1, 2003
 - May 15, 2003
 - May 29, 2003
 - June 12, 2003
 - June 17, 2003
 - June 20, 2003
-