

RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS

Evidence-Based Decision Making  
Committee  
INITIATED BY



Elizabeth Pohlman McQuillen  
DRAFTED BY

Public Safety & Justice Committee  
SUBMITTED BY

July 28, 2020  
DATE DRAFTED

**ACCEPTING DOJ EBDM PRETRIAL PILOT SITES PROJECT GRANT AND AMENDING  
THE BUDGET**

1 **WHEREAS**, Rock County has been engaged with the Evidence-Based Decision Making (EBDM)  
2 Initiative in partnership with the National Institute of Corrections and the State of Wisconsin since 2015  
3 to establish and test the application of evidence-based practices to criminal justice decisions; and,  
4

5 **WHEREAS**, Rock County identified pretrial and risk assessments as a top priority through this process  
6 and has been working toward establishing a pretrial assessment and monitoring system for individuals  
7 going through the justice system in Rock County; and,  
8

9 **WHEREAS**, Rock County has been working with six other Wisconsin counties and the Wisconsin  
10 Department of Justice to develop and implement pretrial programs in the pilot sites following best and  
11 evidence-based practices in pretrial. The pilot programs will utilize data and research to develop a  
12 model that can be tested and evaluated to determine the effectiveness, to potentially lead to replication  
13 in other counties; and,  
14

15 **WHEREAS**, the decision to release or detain a defendant during the pretrial phase of a criminal case  
16 has both short- and long-term consequences for defendants, the justice system, and the general public.  
17 Pretrial seeks to achieve three underlying goals: (1) maximize the release of pretrial defendants  
18 (recognizing the presumption of innocence and the harmful effects of pretrial detention); (2) maximize  
19 public safety; and (3) maximize court appearance; and,  
20

21 **WHEREAS**, in April 2019, Rock County applied for a Wisconsin Department of Justice JAG EBDM  
22 Pretrial Pilot Sites Project Grant to fund a pretrial case manager, provide pretrial monitoring supports  
23 (GPS, SCRAM, Portable Breath), and allow the County's Justice System Manager, who oversees the  
24 pretrial pilot, to attend the National Association of Pretrial Services Agencies annual conference; and,  
25

26 **WHEREAS**, the WI Department of Justice awarded Rock County a JAG EBDM Pretrial Pilot Site  
27 Project grant in the amount of \$150,000 to fund the aforementioned items.  
28

29 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled  
30 this 13<sup>th</sup> day of August, 2020, does hereby authorize the acceptance of \$150,000 of WI DOJ  
31 grant funds and to authorize the signing of the award documents.  
32

33 **BE IT FURTHER RESOLVED** that the 2020 budget be amended as follows:  
34

Account/ Description	Budget at 6/30/2020	Increase (Decrease)	Amended Budget
<u>Source of Funds</u>			
29-9005-0000-42200 State Aid	0	\$150,000	\$150,000
<u>Use of Funds</u>			
29-9005-0000-64904 Program Expenses	\$481,000	\$150,000	\$631,000

20-8A-049

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Respectfully submitted,

PUBLIC SAFETY & JUSTICE COMMITTEE

/s/ Mary Beaver  
Mary Beaver, Chair

/s/ Ron Bomkamp  
Ron Bomkamp

/s/ Brian Knudson  
Brian Knudson, Vice-Chair

/s/ Danette Rynes  
Danette Rynes

/s/ Jacob Taylor  
Jacob Taylor

FINANCE COMMITTEE ENDORSEMENT

Reviewed and approved on a vote of 5-0.

/s/Mary Mawhinney 8/13/2020  
Mary Mawhinney, Chair Date

FISCAL NOTE:

This resolution authorizes the acceptance and expenditure of \$150,000 in State Aid for the EBDM program. No additional County funds are required.

*/s/ Sherry Oja*

Sherry Oja  
Finance Director

LEGAL NOTE:

The County Board is authorized to accept grant funds pursuant to sec. 59.52(19), Wis. Stats. As an amendment to the adopted 2020 County Budget, this Resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.

*/s/ Richard Greenlee*

Richard Greenlee  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

*/s/ Josh Smith*

Josh Smith  
County Administrator

## Executive Summary

### **ACCEPTING DOJ EBDM PRETRIAL PILOT SITES PROJECT GRANT AND AMENDING THE BUDGET**

Rock County has been working with the State of Wisconsin and the National Institute of Corrections as an Evidence-Based Decision Making (EBDM) Initiative local site since 2015. Through a deliberative, collaborative process, using data and research to help guide decision-making, the County decided to enhance various areas of its criminal justice system. Through this process the County decided to establish a pretrial and assessment service program for individuals going through the criminal justice system.

The decision to release or detain a defendant during the pretrial phase of a criminal case has both short- and long-term consequences for defendants, the justice system, and the general public. Pretrial seeks to achieve three underlying goals: (1) maximize the release of pretrial defendants (recognizing the presumption of innocence and the harmful effects of pretrial detention); (2) maximize public safety; and (3) maximize court appearance. According to the research, making pretrial release and detention decisions without actuarial assessment guidance can have harmful effects on both defendants and the general public. Releasing extremely high risk defendants without assessment or matched supervision can be a threat to public safety. At the same time, recent research has also demonstrated that detaining low and moderate risk defendants in jail for even short periods of time (i.e., 2–3 days) can increase their risk for misconduct both short- and long-term. Pretrial risk assessment results will be used to guide release decisions and level of supervision necessary to ensure offender does not recidivate and attends all court appearances during the pendency of the case. A monitoring system to ensure compliance with release conditions will also be established.

Rock County, along with six other EBDM Pretrial Sites and the State of Wisconsin Department of Justice have been working to develop and implement pretrial programs in the pilot sites. These programs are designed to maximize public safety and court appearance while maximizing pretrial release. The pilot programs will utilize data and research to develop a model that can be tested and evaluated to determine the effectiveness, to potentially lead to replication in other counties. To this end, the WI DOJ established a grant opportunity to assist these sites with the aforementioned goals. Monies received under this grant will fund a pretrial case manager, which is contracted through JusticePoint (as the result of a competitive RFQ process), tools for pretrial supervision (GPS monitoring, SCRAM monitoring, Remote Breath monitoring), and allow for the County's Justice System Manager, who oversees the pretrial pilot program in Rock County, to attend the National Association of Pretrial Services Agencies annual conference.

