

# MILWAUKEE COUNTY FACT SHEET

## On addressing COVID-19 in our local justice system

### BACKGROUND: COVID-19 IN MILWAUKEE COUNTY

- The COVID-19 pandemic is a public health crisis that is impacting communities across the country and around the world. To date, Milwaukee County has reported over 22,200 confirmed cases and nearly 400 confirmed deaths attributable to COVID-19.<sup>1</sup>
- COVID-19 uniquely affects local jails, risking the health and lives of people who are detained, facility staff, and the broader community. Close living quarters and overcrowding make physical distancing in jails difficult or impossible. With high rates of chronic health conditions, people who are incarcerated are at risk of severe illness due to COVID-19.
- COVID-19 in jails is also a racial equity issue, as people of color are disproportionately represented among correctional populations.

### PRIORITIZING PUBLIC HEALTH & SAFETY

- Releasing people who pose minimal threat to public safety benefits public health, responsibly uses limited public resources, and most importantly, allows people to keep their jobs and support their families during these uncertain times.
- Collaboration has been critical to reduce the jail population and prevent COVID-19 exposure in the justice system.<sup>2</sup> Correctional staff, defense attorneys, elected officials, law enforcement, judges, prosecutors, public health officials, and others have served as key stakeholders in our local efforts.
- Through these partnerships, Milwaukee County decreased its average daily jail population (ADP) to **1,390** by July 2020, a decline of **39%** since the county joined the Safety and Justice Challenge (SJC) network in 2016. Jail bookings have also dropped by **59%** since May 2016.
- Milwaukee County's previous work to safely reduce the jail population before the pandemic prepared our community to quickly respond during this crisis.
  - Starting as an SJC site in 2016, Milwaukee County aimed for a target ADP of 1,833. Local partners exceeded this goal, reaching an ADP of **1,809** in December 2019.
  - With the support of the John D. and Catherine T. MacArthur Foundation, Milwaukee County introduced reforms to streamline movement of cases through the criminal justice system; monitor trends and inform policy with accurate data; identify people in custody with behavioral health needs and link them to resources in the community; and support persons who are returning to the community after incarceration.

<sup>1</sup> As of August 17, 2020, according to the [Milwaukee County COVID-19 dashboard](#).

<sup>2</sup> For Milwaukee County, "jail" refers to the combined populations of the Criminal Justice Facility and House of Correction.

## RESPONSE: ADDRESSING COVID-19 IN OUR LOCAL JUSTICE SYSTEM

- Criminal justice leaders prioritized public safety concerns, as new policies and practices were carefully implemented in response to COVID-19.
- To prevent the spread of COVID-19 and protect the health and lives of system-involved individuals and jail staff, Milwaukee County safely reduced its jail population by:
  - Limiting jail admissions. Individuals arrested for stand-alone misdemeanors are given contact information for the Public Defender's Office and ordered to appear at a later court date. To avoid temporary holds at the county jail, stand-alone felony violations of community supervision are booked directly into Milwaukee Secure Detention Facility.
  - Reviewing who is in custody and who can be safely released. Criminal justice partners regularly review lists of individuals with pending criminal cases that are ready for immediate resolution and cases that, with a slight bail adjustment, can be safely monitored in the community, pending case resolution.
  - Using remote communication options, such as videoconferencing and telephone calls, to handle initial appearances, preliminary hearings, pretrial supervision, revocation hearings, and treatment programming.
  - Increasing the use of electronic monitoring for individuals eligible for Huber release.
  - Scrutinizing and decreasing the use of jail as an accountability response for rule violations among individuals on community supervision.
  - Connecting with local health departments to align with public health guidance in the House of Correction (HOC) and the Criminal Justice Facility (CJF). This includes working with the Milwaukee Health Department and public health consultants to launch internal contact tracing protocols and point-of-care testing in CJF.
  - Reserving quarantine space at HOC and CJF to treat individuals in custody who test positive for COVID-19 or are symptomatic.
  - Partnering with FEMA, the State of Wisconsin, and the U.S. Army Corps of Engineers to build a 120-bed alternative care facility to quarantine individuals in custody who test positive for COVID-19 and provide stepped-up medical care to symptomatic patients.
  - Reducing housing unit capacity at HOC and maintaining single-occupant cells at CJF.
  - Testing new admittees to the county jail. HOC imposes a 14-day quarantine for new admittees; CJF follows a phased housing strategy to separate new admittees from longer-term residents.
  - Taking temperatures of HOC and CJF staff, volunteers, and persons in custody assigned to a working detail before assuming their posts. Volunteers must provide proof of a negative COVID-19 test to access HOC.

- Instituting a mandatory mask policy for all HOC and CJF staff, volunteers, and persons in custody. Masks are provided to all staff and individuals in custody.
- Cleaning and sanitizing HOC dorms three times per day. A Skytron UV "robot" is used at HOC to sterilize areas, such as vehicles, holding cells, and housing units. Common areas in CJF are cleaned and sanitized twice daily.
- Providing people in county care their own soap and hand sanitizer at HOC. Cleaning supplies are provided to persons in custody on a daily basis at CJF.
- Educating persons in custody and staff at HOC and CJF on COVID-19 safety measures.

### **CREATING LONG-TERM CHANGE: KEEPING JAIL POPULATIONS LOW**

- Ending the overreliance on jails is critical work that must continue—both in this current public health emergency and in the long-term.
- Local SJC partners are actively monitoring pandemic-related changes in the justice system, with an eye towards sustaining new policies and practices beyond the COVID-19 crisis.
- At the same time, community and system stakeholders continue to implement SJC strategies, including the completion of data dashboards; hiring a jail data analyst; relaunching a learning series to promote awareness and understanding of the local justice system; releasing subgrants to support justice-related work of community organizations; expanding racial equity efforts; and creating a criminal justice strategic plan.