



### Legislation Details (With Text)

**File #:** 64342      **Version:** 2      **Name:** Endorsing all aspects of the restorative justice program

**Type:** Resolution      **Status:** Passed

**File created:** 2/23/2021      **In control:** Attorney's Office

**On agenda:** 3/30/2021      **Final action:**

**Enactment date:**      **Enactment #:** RES-21-00224

**Title:** SUBSTITUTE - Endorsing all aspects of the restorative justice programs and encouraging MPD to take necessary steps to expand these programs.

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**Indexes:**

**Code sections:**

**Attachments:** 1. Version 1, 2. RegistrantsReport, Agenda Item 6 pdf.pdf, 3. 3/30/21 CC Mtg\_Email 64342.pdf, 4. 210330\_Common Council Registrants Report Final.pdf

Date	Ver.	Action By	Action	Result
3/30/2021	2	COMMON COUNCIL	Adopt	Pass
3/11/2021	2	EQUAL OPPORTUNITIES COMMISSION	Return to Lead with the Recommendation for Approval	Pass
3/10/2021	2	PUBLIC SAFETY REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
3/2/2021	2	COMMON COUNCIL EXECUTIVE COMMITTEE	Return to Lead with the Recommendation for Approval	Pass
2/23/2021	1	PUBLIC SAFETY REVIEW COMMITTEE	Referred	
2/23/2021	1	PUBLIC SAFETY REVIEW COMMITTEE	Referred	
2/23/2021	1	COMMON COUNCIL	Refer	
2/23/2021	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

The proposed resolution endorses all aspects of the restorative justice programs and encourages MPD to take necessary steps to expand these programs. No appropriation is necessary.

**Title**

SUBSTITUTE - Endorsing all aspects of the restorative justice programs and encouraging MPD to take necessary steps to expand these programs.

**Body**

WHEREAS, Restorative Justice has been a proven tool to help keep youth that commit minor offenses from entering the criminal justice system. The City is committed to offering restorative justice to as many individuals as possible. Youth of color, particularly Black and African American youth, have been disproportionately ticketed by the Madison Police Department and entered into the criminal justice system; and,

WHEREAS, the City has contracted with the Dane County Department of Human Services to provide restorative justice to all youth under the age of 17 who have been referred by the Police Department. Under

this program, when a Madison Police Officer has probable cause to believe a youth has violated a Madison Municipal Ordinance, the youth is referred to Restorative Justice instead of following the traditional path into Municipal Court. No citation is issued at this time. The youth can voluntarily choose to participate in this program and if they successfully complete the restorative process, the matter is closed. If a youth chooses not to participate in the Restorative Justice process or if they cannot be contacted by the contracted restorative justice provider, a municipal ordinance citation is issued and the matter is referred to the Madison Municipal Court. In 2019, 641 youth were referred by MPD, 83% of these referrals were for youth of color, and 505 youth opted into the program; and,

WHEREAS, all Restorative Justice contacts after the initial referral shall be through the contracted youth program coordinators. When MPD is notified that an individual has successfully completed the program, MPD shares the outcome with the referring officer, closes the matter and does not have further contact with the individual. No records of referrals will be shared by MPD with others in the criminal justice system, unless required by law,

NOW, THEREFORE, BE IT RESOLVED, that the City endorses all aspects of the Restorative Justice program and hereby encourages MPD to take necessary steps to expand this program whenever possible and ensure they remain a part of MPD's every day work in the future; and,

BE IT FURTHER RESOLVED, that MPD shall work with the youth program coordinators and the Community Development Office to develop an ~~annual~~ quarterly report to the Madison Common Council summarizing the work done in this Restorative Justice program. Said report should include the number of individuals referred to the program, demographics of the individuals referred when available, and the outcome of said referrals. ~~Further the report shall include any efforts made to expand this Restorative Justice program; and,~~

BE IT FINALLY RESOLVED, that no reduction of program scope will occur without approval from the Common Council and that the MPD shall include in the quarterly report to the Common Council any expansions or process improvements make no changes to the Restorative Justice program, unless it has obtained prior approval from the Common Council.