

2

3

4

5

A RESOLUTION

6

7 Encouraging the establishment and funding of Mental Health Treatment Courts and
8 supporting the passage of Assembly Bill 815 and Senate Bill 791 related to the
9 expansion of treatment alternatives and diversion programs

10

11

12

WHEREAS, Milwaukee County's Circuit Court system is made up of several
13 specialized courts including Children's Court, Civil Court, Criminal Court, Family Court,
14 Traffic Court, and Probate Court; and

15

16

WHEREAS, Milwaukee County also offers several pre-trial services with the goal
17 of providing early interventions so individuals can safely remain in the community,
18 maintain employment, be with their families and children, receive needed treatment and
19 services, and contribute adequately to their own judicial defense; and

20

21

WHEREAS, Milwaukee County previously engaged in a pilot program for a
22 Mental Health Treatment Court with the ability to take up to 10 cases at a time; and

23

24

WHEREAS, the Mental Health Treatment Court pairs individuals with serious
25 mental illnesses, who have committed nonviolent crimes, with medical treatment plans
26 and community resources that can help them address their unique needs and meet their
27 goals; and

28

29

WHEREAS, Milwaukee County Courts, via the Chief Judge, and the Milwaukee
30 County Behavioral Health Division have expressed a desire to move forward with
31 expansion of the Mental Health Treatment Court program and have applied for Federal
32 funding through the United States Department of Justice in alignment with that goal; and

33

34

WHEREAS, if that funding is received, it will be applied towards the creation of a
35 Mental Health Treatment Court Coordinator position, a Psychiatrist Fellow position from
36 the Medical College of Wisconsin, a Pharmacist position, research, data, and
37 evaluation, supportive housing programming, participant transportation, and training and
38 conferences; and

39 WHEREAS, several other Wisconsin counties including Outagamie, Brown, and
40 Eau Claire have established Mental Health Courts as a “problem-solving court”,
41 assisting individuals who are involved with the criminal justice system and also have
42 been diagnosed with a major mental illness; and
43

44 WHEREAS, as the COVID-19 Pandemic continues to exacerbate concerns over
45 mental health treatment, Milwaukee County would be an excellent candidate for the
46 creation of a Mental Health Treatment Court to help individuals receive appropriate care
47 instead of punitive justice; and
48

49 WHEREAS, the Wisconsin State Legislature recently deliberated and approved
50 Assembly Bill 815 (AB 815) and Senate Bill 791 (SB 791) related to the expansion of
51 treatment alternatives and diversion programs, both of which have received bipartisan
52 support; and
53

54 WHEREAS, currently, the Wisconsin Departments of Justice, Corrections, and
55 Health Services award grants to counties that have established qualifying treatment
56 alternatives and diversion (TAD) programs that offer alcohol or drug treatment services;
57 under AB 815 and SB 791, grant funding could be used toward treatment programs for
58 a person who has any mental illness; and
59

60 WHEREAS, because of 2013 Wisconsin Act 203 (“Act 203”), the Milwaukee
61 County Board of Supervisors (“County Board”) is permitted an extremely limited role in
62 the provision and funding of mental health services in Milwaukee County; Wis. Stat. §
63 51.41(5)(a) *Jurisdiction of Milwaukee County Board* states:
64

65 “The Milwaukee County board of supervisors has no jurisdiction over any mental
66 health policy, functions, programs, or services. The Milwaukee County board of
67 supervisors may not create new mental health functions, programs, or services
68 that are under the jurisdiction of the board of supervisors.”
69

70 ; and
71

72 WHEREAS, the Milwaukee County Board of Supervisors is supportive of the
73 establishment of Mental Health Treatment Courts, the funding of those Courts, and the
74 exploration of grants and other funding sources to effectuate that goal; and
75

76 WHEREAS, the Committee on Judiciary, Safety, and General Services, at its
77 meeting of March 10, 2022, recommended adoption of File No. 22-433 (vote 4-0);
78 now, therefore,
79

80 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby supports
81 the establishment of Mental Health Treatment Courts to serve individuals who have
82 committed nonviolent crimes and provide them with needed services; and

83 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors
84 supports Assembly Bill 815 and Senate Bill 791 and encourages their passage by the
85 Wisconsin State Legislature and adoption by the Governor; and

86

87 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors
88 hereby requests the Office of Government Affairs communicate the contents of this
89 legislation to the Wisconsin State Legislature and Governor, as well as the Milwaukee
90 County Mental Health Board, and supports any state or federal legislation that achieves
91 the goal of establishing Mental Health Treatment Courts in Milwaukee County.

92

93

94

03/10/22

95

S:\Committees\2022\March\JSGS\Resolutions\22-433 Mental Health Treatment Courts.docx