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6 **AN ENGROSSED RESOLUTION**

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8 Encouraging the establishment and funding of Mental Health Treatment Courts and  
9 supporting the passage of Assembly Bill 815 and Senate Bill 791 related to the  
10 expansion of treatment alternatives and diversion programs  
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13 WHEREAS, Milwaukee County's Circuit Court system is made up of several  
14 specialized courts including Children's Court, Civil Court, Criminal Court, Family Court,  
15 Traffic Court, and Probate Court; and  
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17 WHEREAS, Milwaukee County also offers several pre-trial services with the goal  
18 of providing early interventions so individuals can safely remain in the community,  
19 maintain employment, be with their families and children, receive needed treatment and  
20 services, and contribute adequately to their own judicial defense; and  
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22 WHEREAS, Milwaukee County previously engaged in a pilot program for a  
23 Mental Health Treatment Court with the ability to take up to 10 cases at a time; and  
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25 WHEREAS, the Mental Health Treatment Court pairs individuals with serious  
26 mental illnesses, who have committed nonviolent crimes, with medical treatment plans  
27 and community resources that can help them address their unique needs and meet their  
28 goals; and  
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30 WHEREAS, Milwaukee County Courts, via the Chief Judge, and the Milwaukee  
31 County Behavioral Health Division have expressed a desire to move forward with  
32 expansion of the Mental Health Treatment Court program and have applied for Federal  
33 funding through the United States Department of Justice in alignment with that goal; and  
34

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

40 WHEREAS, several other Wisconsin counties including Outagamie, Brown, and  
41 Eau Claire have established Mental Health Courts as a “problem-solving court”,  
42 assisting individuals who are involved with the criminal justice system and also have  
43 been diagnosed with a major mental illness; and  
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45 WHEREAS, as the COVID-19 Pandemic continues to exacerbate concerns over  
46 mental health treatment, Milwaukee County would be an excellent candidate for the  
47 creation of a Mental Health Treatment Court to help individuals receive appropriate care  
48 instead of punitive justice; and  
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50 WHEREAS, the Wisconsin State Legislature recently deliberated and approved  
51 Assembly Bill 815 (AB 815) and Senate Bill 791 (SB 791) related to the expansion of  
52 treatment alternatives and diversion programs, both of which have received bipartisan  
53 support; and  
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55 WHEREAS, currently, the Wisconsin Departments of Justice, Corrections, and  
56 Health Services award grants to counties that have established qualifying treatment  
57 alternatives and diversion (TAD) programs that offer alcohol or drug treatment services;  
58 under AB 815 and SB 791, grant funding could be used toward treatment programs for  
59 a person who has any mental illness; and  
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61 WHEREAS, because of 2013 Wisconsin Act 203 (“Act 203”), the Milwaukee  
62 County Board of Supervisors (“County Board”) is permitted an extremely limited role in  
63 the provision and funding of mental health services in Milwaukee County; Wis. Stat. §  
64 51.41(5)(a) *Jurisdiction of Milwaukee County Board* states:  
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66 “The Milwaukee County board of supervisors has no jurisdiction over any mental  
67 health policy, functions, programs, or services. The Milwaukee County board of  
68 supervisors may not create new mental health functions, programs, or services  
69 that are under the jurisdiction of the board of supervisors.”  
70

71 ; and  
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73 WHEREAS, the Milwaukee County Board of Supervisors is supportive of the  
74 establishment of Mental Health Treatment Courts, the funding of those Courts, and the  
75 exploration of grants and other funding sources to effectuate that goal; and  
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77 WHEREAS, the Committee on Judiciary, Safety, and General Services, at its  
78 meeting of March 10, 2022, recommended adoption of File No. 22-433 (vote 4-0);  
79 now, therefore,  
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81 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby supports  
82 the establishment of Mental Health Treatment Courts to serve individuals who have  
83 committed nonviolent crimes and provide them with needed services; and  
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85 **BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors**  
86 **favours the establishment of Mental Health Courts that do not intentionally direct**  
87 **more people with mental illnesses into the judicial system or force individuals to**  
88 **plead guilty to any charges as a requirement for diversion or services; and**  
89

90 **BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors**  
91 **supports Mental Health Courts that provide individuals with access to advocates**  
92 **and counselors independent of their legal counsel who can address their**  
93 **individual needs, during and after the legal proceedings have concluded,**  
94 **including connecting them to needed community services; and**  
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96 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors  
97 supports Assembly Bill 815 and Senate Bill 791 and encourages their passage by the  
98 Wisconsin State Legislature and adoption by the Governor; and  
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100 BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors  
101 hereby requests the Office of Government Affairs communicate the contents of this  
102 legislation to the Wisconsin State Legislature and Governor, as well as the Milwaukee  
103 County Mental Health Board, and supports any state or federal legislation that achieves  
104 the goal of establishing Mental Health Treatment Courts in Milwaukee County.  
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108 \\Fi01wpchc\comclerk\$\County Board Files\County Board 2022\Engrossed Resolutions\March 24\22-433 Mental  
109 Health Treatment Courts.docx