

2 **RESOLUTION: Authorize Two (2)-Year Agreement Between Winnebago County and the**
3 **State of Wisconsin Department of Health Services to Provide**
4 **Competency Restoration Services to Adult Defendants While Inmates in**
5 **the Winnebago County Jail**

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8 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

9 **WHEREAS**, §971.14(5)(a)1., Wis Stats, provides that a Court shall commit a criminal Defendant that it finds
10 not competent to proceed but likely to become competent if provided with appropriate treatment to the custody of the
11 Department Of Health Services for treatment for a period of time; and

12 **WHEREAS**, §971.14(5)(a)1. Wis Stats, also provides that the Department of Health Services shall determine
13 whether the Defendant will receive treatment in an appropriate institution designated by the Department; and

14 **WHEREAS**, the Department of Health Services has determined that treatment of certain individuals may be
15 appropriate in a county's jail setting; and

16 **WHEREAS**, your undersigned Committee supports treatment of designated inmates in the custody of the
17 Winnebago County Jail who have been determined by the court to be not competent to proceed at trial, but likely to
18 become competent if treatment is provided; and

19 **WHEREAS**, according to the terms of the proposed Agreement, attached hereto and made a part of this
20 Resolution herein by reference, Winnebago County would provide, at its own expense, the care and treatment it
21 would otherwise provide to any inmate in the jail, and the Department of Health Services would reimburse
22 Winnebago County for professional mental health services to inmates in furtherance of the inmate's court-ordered
23 treatment to competency; and

24 **WHEREAS**, according to the terms of the proposed Agreement, Winnebago County would agree to provide
25 access in the Jail to the designated jail inmates for health services staff for the purpose of providing treatment.

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27 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
28 authorizes the Winnebago County Executive and the Winnebago County Clerk to execute Voluntary Agreement
29 between the State of Wisconsin Department of Health Services and Winnebago County for the purpose of providing
30 competency restoration to appropriate inmates in the Winnebago County Jail.

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32 Respectfully submitted by:
33 **JUDICIARY AND PUBLIC SAFETY COMMITTEE**

34 Committee Vote: **3-0**
35 Vote Required for Passage: **Majority of Those Present**

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37 Approved by the Winnebago County Executive this ____ day of _____, 2018.

38
39 _____
40 Mark L Harris
41 Winnebago County Executive