



Waukesha County Criminal Justice Collaborating Council
Pretrial Committee Minutes
Wednesday, March 10, 2021

Members Present

Hon. Jennifer Dorow (Chair)
Monica Paz
Jeremy Perri

JoAnn Eiring
Craig Kuhary

Neil Dussault
Sue Opper

Members Absent

Kevin Costello

Others Present

Rebecca Luczaj
Brittany Marin
Christine Olsen

Janelle McClain
Mary Sweeney
Abbey Nickolie

Daniel Rieck
Sara Carpenter

Luczaj called the meeting to order at 12:08 p.m.

Approve Minutes from February 10, 2021 Meeting

Motion: Perri moved, second by Dussault, to approve the minutes from the February 10, 2021 meeting of the CJCC Pretrial Committee. Motion passed without a negative vote.

Update on Status of Pretrial Supervision and Pretrial Intoxicated Driver Intervention Program (IDIP) Caseloads and Waitlists

Eiring reported that the IDIP is ready to open, but WCS needs guidance on how to handle the waitlist of 69 defendants prior to opening.

Opper arrived at 12:10 p.m.

Eiring suggested removing OWI 3rds and lower, bringing the list to 30 defendants; however, with 9 currently in custody, only 21 would be eligible to be enrolled at this time. She estimates that enrolling the 21 defendants would take approximately 2-3 weeks. OWI 4ths and higher who are not in custody and who have completed 90 days on SCRAM, unless ordered for a longer time period, could also be removed – bringing the total number of eligible defendants to 13. Opper agreed that this proposal seems reasonable, but the cases need judicial review.

The IDIP currently has 40 spots available.

Dorow stated that a bail review hearing must be scheduled to remove defendants from the waitlist. If a defense attorney feels that their client has completed enough supervision, they can make a motion to modify the conditions of bail.

Motion: Opper moved, second by Dorow, to admit from the waiting list to the IDIP felony out-of-custody defendants, to include those who have already completed 90 days of SCRAM. Motion passed without a negative vote.

A workgroup consisting of Eiring, Paz, Perri, and Luczaj, will compose a letter that will be e-Filed on all cases remaining on the waitlist after removing felony OWIs. Once the letter is e-Filed, the defense attorneys on the cases will be able to view it and be alerted that they will need to file a motion to modify conditions of bail.

Paz will distribute an updated copy of the IDIP waitlist to committee members.

Motion: Dorow moved, second by Opper, to open the IDIP to felony OWI cases only, effective tomorrow (3/11/21). Motion passed without a negative vote.

Dorow left at 12:43 p.m.

Sweeney reported that the Pretrial Supervision caseload is currently at 104 defendants.

Update on Technical Assistance Opportunity from the National Institute of Corrections (NIC)

Waukesha County, as one of the 7 state Pretrial Pilot sites, will be receiving additional technical assistance from NIC in the form of two webinars. The topics will be: Quality Assurance Protocols to Determine Fidelity to the PSA, and Pretrial Performance Measures and Data Collection to Support Validation of the PSA. Luczaj will provide an update as more information is made available; however, the webinars are tentatively scheduled for May.

Announcements

There were no announcements.

Discuss Agenda Items for Next Meeting

- Update on the letter drafted by the workgroup for cases remaining on the IDIP waitlist
- Status of pretrial supervision program caseloads and waitlists

Public Comment

There was no public comment.

Adjourn

Motion: Kuhary moved, second by Paz, to adjourn the meeting at 12:48 p.m. Motion passed unanimously.