



Waukesha County Criminal Justice Collaborating Council Victims' Rights Committee Minutes Monday, February 5, 2024

Team Members Present:

Jen Dunn (Co-Chair)

Marla Bell (Co-Chair)

Elizabeth Lucas

Kendall Schultz

Eryn Menden

Daniel Rieck

Monica Paz

Hon. Jack Melvin

Also Present:

Rebecca Luczaj

Janelle McClain

Laura Flood

Dunn called the meeting to order at 12:14 p.m.

Approve Minutes from November 7, 2023 Meeting

Motion: Bell moved, second by Rieck, to approve the amended CJCC Victims' Rights Committee minutes from November 7, 2023. Motion carried without a negative vote.

Review and Discuss Recent Stats on Restitution Hearings

Schultz distributed and Dunn reviewed a document titled, "Restitution Hearing Stats." Dunn distributed and reviewed a document that contained a chart sharing the quantities of stipulations, restitution hearings held, and no shows.

Attendees speculated that the number of no-show hearings may be due to the parties having to attend the hearing in person. They also speculated that the increase in hearings being held may be due to the Victim Assistance unit working with the victims more closely, along with the increase in number of cases in general.

Melvin stated that he has seen an increase in victims with unreasonable expectations for restitution, despite Victim Assistance staff explaining what expenses would likely be covered.

Discuss Fees/Fines Collected Through CCAP and the Prioritization of Restitution

Flood stated that staff are noticing that defendants are less interested in payment plans, so they are paying the fees/fines immediately.

Legislation has dictated that restitution is always the first priority with revenue generated through CCAP payments, before being applied to other fees and fines. County Collections also prioritizes the payment of restitution.

Paz stated that defendants receive two notices for payment before being forwarded to collections.

If restitution has not been ordered yet, the bail funds that have been received will be held until the hearing is held.

Paz commented that the collection of restitution for those on probation was moved from the Department of Corrections (DOC) to Waukesha County because little was being collected by DOC.

Discuss Privacy Related to Witnesses

Dunn commented that she is seeing courts ordering more witnesses to be added to the victim identification key to keep their information private; however, witnesses do not have the same protection requirements as victims do. There can be exceptions made on a case-by-case basis.

Melvin responded that he has not seen this.

Melvin and Rieck added that they are noticing that large businesses with Loss Prevention Specialists are listed as “victims,” which doesn’t make sense. Dunn will discuss this with her staff.

Review and Discuss WI Crime Victims’ Rights Board (CVRB) Report on Restitution

Dunn reviewed the report that was previously distributed to committee members.

Rieck left at 1:10 p.m.

Lucas stated that DOC is drafting a response to this report and is developing some recommendations for process changes as a result.

Announcements

There were no announcements.

Discuss Agenda Items for Next Meeting

- Follow-up on witnesses being added to victim identification keys
- Consistency across courts regarding the application of victims’ rights
- Notification/scheduling/rescheduling practices

Public Comment

There was no public comment.

Adjourn

Motion: Bell moved, second by Menden, to adjourn the meeting at 1:18 p.m. Motion passed unanimously.

Minutes Were Approved April 8, 2024.