



**Waukesha County Criminal Justice Collaborating Council
Pretrial Committee Minutes
Wednesday, July 11, 2018**

Team Members Present:

Judge Jennifer Dorow (Chair)	Daniela Imig	Frank McElderry
Sara Scullen	JoAnn Eiring	Gina Colletti (on behalf of Monica Paz)
Katie Kegel (on behalf of Sam Benedict)		

Team Members Absent:

Monica Paz	Sam Benedict	Craig Kuhary
Abbey Nickolie	Sue Opper	

Also Present:

Mary Wittwer	Janelle McClain	Rebecca Luczaj
Karla Gabor		

Dorow called the meeting to order at 11:35 a.m.

Approve Minutes from June 4, 2018 Meeting

Motion: McElderry moved, second by Scullen, to approve the minutes from June 4, 2018. Motion passed unanimously.

Update on DOJ Pretrial Pilot Project

LJAF MOU

Luczaj reported that there will be one MOU that has to be approved and signed by all of the EBDM counties, and then by the Arnold Foundation. Waukesha County's Corporation Counsel had a variety of questions and concerns that Luczaj addressed in a conference call with the DOJ yesterday. On Friday morning, Luczaj has a follow-up meeting with Corporation Counsel.

7/17-7/18 Pretrial Pilot Meeting

Luczaj will be attending a 2-day meeting in Madison with the other EBDM Coordinators and DOJ staff regarding the Pretrial Pilot. She is hoping to address some questions that have come up regarding PSA implementation and get clarification on some outstanding issues.

NCIC Access: CJCC Ordinance Revision

Luczaj stated that the DOJ has put together language that they think the FBI is looking for in order to consider the CJCC a Criminal Justice Administering Agency for purposes of ORI approval. Luczaj edited the language to fit Waukesha County, and the DOJ will forward that to the FBI to determine if the wording is acceptable. Waukesha County would then need to revise the ordinance that established the CJCC to reflect this new language.

Follow-Up on Ability for WCS to View NCIC Reports from DA's Office

This agenda item was tabled for a future meeting when the DA's Office is present.

Review and Discuss Implementing Revised Virginia Pretrial Risk Assessment Instrument (VPRAI)

Imig distributed and reviewed documents titled "Virginia Pretrial Risk Assessment Instrument (VPRAI) Validation Report" and "Virginia Pretrial Risk Assessment Instrument – Revised Tool and PRAXIS."

Due to the delay in the implementation of the PSA, the committee is reviewing the revised VPRAI to consider implementing it now. Imig and Scullen agreed that Waukesha County should not change to the revised VPRAI unless the wait for the Arnold Foundation PSA will be more than a year. The changes would be costly, require transition time for all parties to the new reports, and the current VPRAI has been recently re-validated for Waukesha County.

Scullen expressed a concern regarding defendants with substance use disorders being on supervision. Imig responded that if substance use does not affect failure to appear (FTA), then it is a moot point. Dorow stated that FTA is just one factor, with another factor being the likelihood to reoffend while on pretrial supervision. Imig reminded the committee that the PSA is just a tool, so there is still room for discretion from the commissioner; however, if the commissioner is consistently overriding the tool recommendations, then the tool is not being utilized as intended.

Kegel has noticed that commissioners do not appear to be consistent in bail hearings. Dorow responded that there currently is not a matrix set up to bring that level of consistency, and there will not be one used with the current tool because developing this is very labor-intensive. We will utilize a decision-making framework once the PSA is implemented.

Review and Discuss Replicating Dane County Signature Bond Study

Luczaj distributed and reviewed a document titled the "Frequency of Signature Bonds in Dane County Criminal Cases: 2012-2016." The EBDM Coordinators agreed that it would be beneficial for the EBDM counties to replicate this study, if possible.

This topic will be further discussed at a future meeting when Monica Paz is present.

Discuss Agenda Items for Next Meeting

The committee meetings will be moved to the first Wednesday of each month at noon. McClain will send updated Outlook meeting notices.

Adjourn

The meeting adjourned at 12:14 p.m.