



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

Members Present

Hon. Jennifer Dorow (Chair)
Monica Paz

JoAnn Eiring
Kevin Costello

Neil Dussault
Sue Opper

Members Absent

Jeremy Perri

Craig Kuhary

Others Present

Rebecca Luczaj
Brittany Marin
Christine Olsen

Janelle McClain
Mary Sweeney
Abbey Nickolie

Daniel Rieck
Sara Carpenter
Anna Kees (proxy for Perri)

Opper called the meeting to order at 12:18 p.m.

Approve Minutes from January 13, 2021 Meeting

Motion: Costello moved, second by Kees, to approve the minutes from the January 13, 2021 meeting of the CJCC Pretrial Committee. Motion passed without a negative vote.

Dorow arrived at 12:19 p.m.

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

Discuss Recent Suspension of Referrals to IDIP and Plan to Dispose of Cases from the Waitlist

Paz reported that new referrals to the IDIP have been closed and she is working with Schimel to remove defendants from the waitlist and modify their bond, in consultation with the DA's Office.

Paz recommended modifying the bond to add language that "*INSERT DATE - Court remove the bail condition of: 'Defendant is to report and comply with Wisconsin Community Services (WCS) Intoxicated Driver Program, including sobriety testing in accordance with WCS program protocols.'*" The defendant would not need to sign a new bond.

Eiring reported that the Pretrial Supervision caseload is at 93 defendants and the IDIP caseload is at 132 defendants. If the IDIP waitlist is eliminated, they could possibly begin taking new referrals for IDIP, but she is worried because OWIs have increased since the beginning of the year. If the courts return to ordering all OWI offenders to Supervision, WCS will not be able to supervise them all the way through adjudication. Eiring suggested that if alcohol related OWIs are made, the defendant is placed on SCRAM for 90 days, WCS will encourage treatment services, and if the defendant is compliant at 4 months, the case would be closed. Attorneys would be responsible for providing treatment updates to the court. WCS could possibly utilize transdermal patches as an alternative for drug-impaired drivers.

Costello has some concerns about removing all defendants from the IDIP waitlist. This topic will be discussed at the next criminal/traffic judges' meeting.

Opper stated that she shares Costello's concerns. She spoke with Schimel and will be reviewing the waitlist. If there are victims in any cases, bail modification hearings must be held for those. She has already been working with WCS to remove defendants from supervision who have been compliant.

Dorow stated that a special calendar could be done on 1 date to hear all cases on the IDIP waitlist with victims; notices could be sent for the date, and if held via Zoom, no bailiff would be needed.

The waitlist that Paz updated on January 27, currently with 90 defendants, will be emailed to attendees.

Announcements

The March Victim Impact Panel will be held at WCTC due to the mass COVID-19 vaccination clinics being held at the Expo Center.

Dorow reported that Saafir is retiring around June 2021.

Discuss Agenda Items for Next Meeting

The group agreed to discuss the same agenda items at the next meeting.

Public Comment

There was no public comment.

Adjourn

Motion: Dorow moved, second by Paz, to adjourn the meeting at 12:42 p.m. Motion passed unanimously.