



Waukesha County Criminal Justice Collaborating Council Pretrial Committee Minutes Wednesday, June 5, 2019

Members Present

Hon. Jennifer Dorow	Sam Benedict	Monica Paz
JoAnn Eiring	Sue Oppen	

Members Absent

Craig Kuhary	Sara Scullen	Michelle Larsuel
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Others Present

Rebecca Luczaj	Janelle McClain	Bob Gibson
Mary Wittwer	Kevin Costello (Proxy for Scullen)	Karla Gabor

Dorow called the meeting to order at 12:06 p.m.

Approve Minutes from May 1, 2019 Meeting

Motion: Costello moved, second by Paz, to approve the minutes from the May 1, 2019 meeting of the CJCC Pretrial Committee. Motion passed unanimously.

Review and Discuss Electronic Monitoring (EM) Data

Review 2018-2019 EM Data Broken Down by Misdemeanor vs. Felony Cases

Wittwer distributed and reviewed a document showing data on SCRAM, GPS, and Remote Breath usage for Pretrial, OWI, and other non-supervised EM clients.

Oppen arrived at 12:09 p.m.

Costello stated that, while infrequent, there are defendants utilizing multiple devices. The committee would like these instances to be noted on the document to show how many defendants are impacted.

Eiring asked if a defendant is ordered GPS on one case (with exclusion zones), and is on Pretrial Supervision for another case for retail theft and has a no-contact order with that retailer, can they use their discretion and add the retailer as an exclusion zone? The downside is that, if the initial case with the GPS order were dismissed, the GPS would no longer be available for the subsequent case(s). Dorow suggested that WCS send a note to the court requesting the court to make a decision. Oppen did not agree, stating that this would add more hearings when the no-contact order is already in place.

Dorow suggested asking the state team and NIC about best practices in this case. She would like WCS to track how often these situations occur.

Benedict commented that there are many defendants on EM, and unless there is money offsetting these costs, there is a lot of cost shifting to defendants occurring, which is a huge barrier.

Update on DOJ Pretrial Pilot Project Implementation

Luczaj reported that Waukesha County would be fully funded by the WI DOJ for the budget requested in the Pretrial Pilot Sites grant application. Once the grant award paperwork is received, it will go to the County Board for approval.

Software procurement for implementation of the PSA is underway by the WI DOJ. The EBDM Coordinators had a demo of the Automon software two weeks ago to see its functionality.

Currently, only Rock and Waukesha Counties are requesting a PSA stakeholder training. Costello recommended multiple trainings, and recommended Luczaj contact Judge Kremers to find out how Milwaukee County trained all of their stakeholders. Luczaj inquired about a joint training with Rock County, as Rock County is interested in an in-depth

explanation of the PSA, including an explanation of how the scoring works. Benedict recommended a half-day training on different dates at both locations so that people could choose one or the other, based upon their schedules.

Paz recommended a press release about the implementation of the PSA to keep the public informed. Gibson recommended having press come to the Stakeholder training. Benedict suggested that, rather than inviting the press to the stakeholder training, they could come to a CJCC Pretrial Committee meeting where the announcement could be made.

Opper stated that she does not feel the process will change much, since we are already conducting pretrial screening. Dorow responded that with the release conditions matrix, there is another level added to bail negotiations.

Luczaj reported that La Crosse County went live with the PSA in March, and Outagamie County is going live tomorrow. She also reported that the WI DOJ is giving the State Court's Office a grant to hire a statewide Pretrial Director, who will oversee the implementation of the PSA statewide if the pilot is successful.

Discuss Discontinuing Practice of Conducting Pretrial Jail Screening Interviews with Implementation of the PSA

Dorow asked the group to consider eliminating the in-person interview when we implement the PSA, since an interview is not required with the new tool, which will allow WCS staff more time to screen out-of-custody defendants.

Costello expressed a concern about juvenile records having no impact on PSA scores, as a 17- or 18-year old may appear to be low-risk; however, they could have multiple priors on their juvenile record.

Dorow is concerned about screeners not checking NCIC for all cases if the defendant is maxed out on points through CCAP alone; she would like this ancillary information.

Motion: Costello moved, second by Benedict, to discontinue the practice of conducting pretrial jail screening interviews when the PSA is implemented. Motion passed unanimously.

Dorow will work with the judges and WCS to start conducting the PSA on weekends to assist the Duty Judge in making more informed decisions on bail for Riverside reviews.

Discuss Plan for Screening Out-of-Custody Defendants

This topic has been tabled until a future meeting.

Update on Process for Notifying Law Enforcement of DV Defendants on GPS

Opper distributed and reviewed a document titled "Notice of GPS Tracker" and explained that WCS will be emailing/faxing this form to law enforcement when a DV offender will be released on GPS in their jurisdiction.

Other Items for Discussion

Dorow stated that the Pretrial Committee meetings should be increased to twice a month (June, July, and August) until the PSA goes live. McClain will send a Doodle poll to determine the best time(s) to meet.

There will be no meeting on July 3 due to the holiday. McClain will send a Doodle poll for the week prior.

Discuss Agenda Items for Next Meeting

- Review Release Conditions Matrix

Adjourn

Costello and Paz left at 1:16 p.m.

The meeting was adjourned at 1:16 p.m. due to lack of quorum.