



Waukesha County
Criminal Justice Collaborating Council
Evidence-Based Decision Making Case Processing Workgroup Minutes
Thursday, July 13, 2017

Team Members Present:

Sue Opper

Hon. Ralph Ramirez

Frank McElderry

Monica Paz

Sara Scullen

Kathy Madden

Chris Ehrfurth

Katie Kegel

Team Members Absent:

Michael Neimon

Others Present:

Rebecca Luczaj

Angie Wollenhaupt

Janelle McClain

Kristina Gordon

Opper called the meeting to order at 7:33 a.m.

Approve Minutes from June 15, 2017

Motion: Madden moved, McElderry second, to approve the minutes of June 15, 2017. Motion carried unanimously.

Review & Discuss Outcomes from 7/11 Pretrial Conferencing

Paz distributed and reviewed documents titled "Summary Data of Branch 3 Pretrial Pilot" and "Pretrial Conference Dates."

The clearance rate was 51.65% per case and 54.29% per defendant. While there is a decrease in the clearance rate, that is likely because Judge Aprahamian, who is new to the process, was presiding over the pretrial conferences. There were eight Failure to Appear (FTAs). Members of the workgroup agreed that, while there are differences in how the judges handled the cases, it was still an overall success.

Kegel arrived at 7:38 a.m.

The workgroup discussed a concern of Aprahamian's – that if a defendant has an extensive criminal history, the case should not be eligible for pretrial conferencing. After discussing the topic, the workgroup decided to keep it as-is, where eligibility is determined by case type.

Gordon commented that there were some defendants not willing to come to an agreement, so the cases had to be set for trial. All of the parties agreed that having a clerk in the hall continued to be very helpful.

Madden expressed a concern that if we are scheduling out pretrial conferences into October, the case could have been added to the judge's calendar before that, so we may be created additional delay. Gordon stated that occasionally, the extra time is beneficial.

Ramirez would like to see the other Criminal/Traffic judges preside over pretrial conferences at least once before considering expanding the pilot. Gordon commented that DA's Office resources would make it difficult

to do more than one day a month of pretrial conferences. The ultimate goal would be for each branch to handle their own cases for pretrial conferences.

Review Process of Commissioners Sending Intake Court Defendants to the State Public Defenders (SPD) for Eligibility Screening

Paz distributed and reviewed a document titled "State Public Defender Screening Pilot."

Scullen reviewed the current process for asking defendants to obtain an attorney at the time of their preliminary hearing. Scullen also reminds defendants that if their case number contains a "CT," it is punishable with jail time.

Scullen left at 8:11 a.m.

Kegel commented that it appears as though defendants are showing up at the SPD office earlier in the process. This is likely due to the flier that the workgroup created for distribution with summonses. There is an issue for Spanish-speaking defendants, but the flier has limited room for Spanish translation. We could look at adding a line in Spanish on the flier to direct defendants to a website with the flier information in Spanish.

Review Revised OAR Information Sheet

Opper and Madden will review the current OAR information sheet to determine if the information can be delivered in a more concise manner. The group will review this at a future meeting.

Follow-Up Discussion on "Spin" Judge Concept for In-Custody Defendants

Kegel expressed concern that it is difficult to get a court date in certain branches. Another problem is when judges are on vacation and there is a "branch-only warrant," the defendant has to remain in custody until the judge returns from vacation, unless the SPD can convince the court clerk to try to add it to the G49 calendar, if there is time available.

When Ramirez discussed this idea at the Criminal/Traffic judges' meeting, all of the judges present agreed that they would take these cases; however, the message needs to be relayed to the clerks.

McElderry left at 8:26 a.m.

Discuss Agenda Items for Next Meeting

The workgroup will now meet once a month, on the fourth Thursday of the month. McClain will send out the recurring notice in Outlook.

McClain will send a Doodle poll for the next meeting at 7:30 a.m. on either August 7 or August 8 when NIC Consultant, Mimi Carter, is in town.

Adjourn

The meeting adjourned at 8:30 a.m.