



Waukesha County Criminal Justice Collaborating Council  
Evidence-Based Decision Making  
Alternative Interventions Workgroup Minutes  
Monday, June 5, 2017

**Members Present**

Sam Benedict – Co-Chair  
Hon. Michael Aprahamian  
Duane Paulson  
Hon. Lloyd Carter – Co-Chair

Joan Sternweis  
Marla Bell  
Mary Wittwer

**Members Absent**

Sue Opper

**Others Present**

Rebecca Luczaj  
Kelsey Loshaw  
Andrea Will (for Opper)  
Daniel Bath

Janelle McClain  
Daniela Imig  
Mimi Carter

Benedict called the meeting to order at 12:06 p.m., and began with introductions of members and guests present.

**Approve Minutes from May 22, 2017 Meeting**

Motion: Sternweis moved, second by Bell, to approve the minutes of May 22, 2017. Motion carried unanimously.

**Update on May 31 – June 1 NIC Diversion Symposium**

Luczaj stated that there were about 90 people present, primarily from Wisconsin, Virginia, and Indiana. Wisconsin had very good representation, with at least 2 attendees from each of the 8 EBDM counties.

The symposium was a 2-day conference. The first day was primarily a presentation/lecture format, focusing on front-end diversion. There was a broad definition of “diversion” being used, with some participants focusing on diversion at the very first point of contact with the criminal justice system – law enforcement, while others defined diversion as being a post-charge occurrence. The second day, there were break-outs by discipline (CJCC Coordinators, prosecutors, defense attorneys, etc.) to discuss what they had learned the day prior. Then, the groups got together by state to discuss what is being done related to diversion at the local level, as well as what the State team is working on.

A big takeaway for Luczaj was that there is not a lot of targeted research and evaluation on diversion programs, and we will need to be careful what we choose to implement. We will want to make sure we are following the best practices, implementing a model that has been thoroughly evaluated.

Carter added that with the different types of diversion programs and targeted populations, it is difficult to analyze the results and draw conclusions, but this is an area where there is a lot of promise.

Benedict commented that diversion is the act of removing the lower risk person away from the traditional case processing and programs designed for higher risk populations. When we choose a method, we are going to have to look at what is known, as well as measure our own outcomes.

### **Review and Discuss Drug Court Recidivism Data**

Imig distributed and reviewed recidivism data collected on Drug Treatment Court (DTC) graduates, as well as those who were discharged from the program as unsuccessful. If someone was discharged and sent right to the jail, it was not counted as recidivism, as it was likely the result of being discharged from the program and being immediately sentenced.

When discussing how the data compares to those who did not go through DTC, and the inability to obtain accurate information on that, Carter suggested contacting the NADCP to find out information that they may have on those who have not went through treatment court and their respective recidivism rate.

The statistics on the bottom of the spreadsheets may not be 100% accurate, as they may have counted recidivism multiple times for the same individual; for example, if someone recidivated within the 12-month period and again after 18 months, it was counted twice. Imig will revise these statistics prior to the next meeting to reflect an unduplicated count.

### **Review and Discuss Drug Court Sustainability Plan to Present to Policy Team**

Luczaj distributed and reviewed a document titled "EBDM Alternative Interventions Workgroup Drug Court Program Sustainability Options, May 30, 2017."

Carter arrived at 12:32 p.m.

The workgroup discussed the pros and cons of each of the five options.

There was consensus by the group that collecting program fees may actually be counterproductive, as participants' primary focus is on treatment and maintaining sobriety.

The group also agreed that in order to maintain fidelity to treatment court best practices, drug testing must be random and observed. DOC does not offer random drug testing because offenders have scheduled appointments with their agents, and many treatment providers are unable to provide observed drug testing due to staffing limitations.

The workgroup needs to review the other CJCC-funded programs before making a decision as to whether reallocating funds and potentially reducing capacity and/or eliminating programs in order to sustain DTC is a viable option.

Luczaj will update the document with the group's feedback, and Benedict will report on it at the Policy Team meeting tomorrow.

Aprahamian left at 12:59 p.m.

### **Public Comment**

Mr. Daniel Bath spoke about his viewpoints of Waukesha County's criminal justice system.

### **Adjourn**

The meeting adjourned at 1:04 p.m.