

**Minutes of the Criminal Justice Collaborating Council
Alcohol Treatment Court Subcommittee
Wednesday, March 17, 2010**

Chair Foster called the meeting to order at 12:25 p.m.

Present: Judge Kathy Foster (Chair), Kristy Gusse, Mike Giese, Karl Held, Diane Kelsner, Jean LaTour, Kathy Madden, Brad Schimel, Sara Carpenter. **Absent:** Mike DeMares, Judge Jame Kieffer, Daniel Fay, Eric Raskopf.

ATC Program Update

Gusse said the current caseload is 43 with two new cases expected this week. Four applications are pending. Six people graduated last week totaling 104 graduates since the program's inception.

Carpenter said WCS continually works to increase the caseload using the following methods: distributing handouts to third time OWI offenders, the WCS website, referrals from other WCS programs, word of mouth from courts and Day Report Center staff, etc. Carpenter will meet with representatives from SOPHIA seeking a donation for the purchase of more incentives. SOPHIA has been supportive and responsive to the program. She recently received a \$4K donation from an anonymous donor which was applied to ATC expenses.

Foster said since the last committee meeting, a man she discharged from the program sent in a letter outlining how hard the program was. The letter was threatening and insulting. It was a good advertisement for the program. Held said letters like that scare away people who should not be in the program.

Foster said the ATC graduation last week was wonderful. The graduates were appropriately prepared. There was a nice turn out from the county board, county board chair and county executive. Gusse said she heard a lot of positive feedback about the graduation.

Approval of Minutes from January 6, 2010

MOTION: Held moved, Kelsner second, to approve the minutes of January 6, 2010. Motion carried 10-0.

Update on BJA/CSAT Grant Submission to Enhance Adult Drug Court Services, Coordination, & Treatment

Foster said the BJA/CSAT grant application was submitted on February 11, 2010 for \$1,212,343 for a three year period. Waukesha County will be notified in August/September 2010 whether or not the grant is awarded. If the grant is received the projected start date is October 1, 2010 and will serve 150 people targeting fourth OWI offenders and eliminate the waiting list of third OWI offenders.

Schimel said there should be an array of treatment and services available for first time offenders but resources are not available. The goal of the program is betterment of people and public safety.

Foster said based on the premise of the program, fourth time offenders are a great population to target. Policy may have to be reviewed if laws change making fourth time offences felonies. Held said his department is putting together a workgroup to investigate the effects of the new OWI laws.

Update on ATC Fee Assessment & Collection: June 2009 – February 2010 – Sara Carpenter

Carpenter reviewed a handout titled *Fee Assessment and Collection Summary Statistics, June 1, 2009 – February 28, 2010*. She said of the 32 participants enrolled in ATC since June 1, 2009, 27 have been assessed a monthly fee, three have voluntarily withdrawn from the program and five are pending fee

assessments. The first chart on page one shows the projected and actual percentage of monthly fees paid by participants. The actual percentages are significantly less than projected mainly due to the current economy and high rate of unemployment. The second chart depicts the overall upward trend of the monthly and total revenue generated by program fees. No revenues were collected the first two months because of delays caused by billing and processing. Collections during the first two months of 2010 equal the amount collected June through December 2009. As of February 28, 2010, 17% of fee revenue had been collected for the program. The lower than expected revenues are concerning but consideration should be made for the economic downturn, unexpected unemployment and implementation delays. WCS will continue to monitor the fee assessment and collection process and have a better idea of year-end projections. Reports will be given quarterly to the County Board Finance Committee as requested.

Carpenter said she isn't overly concerned with the collection statistics. Staff and the judge will work to remind and reinforce financial obligations to participants. Staff also try to have participants begin paying fees before the first bill is received (first bills are not received until participants have been in the program one month) to make sure all fees are paid by graduation. The county is working to develop a system where participants can pay for services in advance. Participants will need to know that any fees paid in advance may be applied to other debts to the county. Kelsner, LaTour and Madden did not like the fact that fees could be redirected. Carpenter said few clients offer to pay in advance. WCS asked the county to provide a list of clients' outstanding balances so staff can help encourage payments and fulfill obligations.

LaTour said she is worried about the statistics. Perhaps the original fee drafting committee should reconvene to discuss the shortfall.

Foster said she would like her colleagues to meet and discuss the fee schedule. Perhaps some are not aware there is a fee that can be assessed. Kieffer said he reviews the ATC guidelines during sentencing.

Foster said participants have graduated from the program before their fines are paid. Perhaps their fees could be eliminated or reduced because they completed the program. Kelsner said participants have already had their jail time reduced in exchange for program participation. Foster said she does not want payment of the fees to overshadow payment of the fines. There is an accountability factor.

Discuss Development of Post-Graduation Participant Evaluation

This item was not discussed and will be added to the next agenda.

Discuss & Consider Recommendations for CJCC Executive Committee of ATC Graduate for Subcommittee Membership

Committee members asked for additional background information on this item. This item will be added to the next agenda.

Set Next Meeting Date & Discuss Agenda Items

June 16th at 12:15 p.m. in room 179

The meeting adjourned at 1:25 p.m.