

**Minutes of the Waukesha County Criminal Justice Collaborating Council
Wednesday, May 26, 2010**

Judge Davis called the meeting to order at 8:32 a.m.

Present:

| | | | |
|-------------------------|--------------|--------------|-----------------|
| Judge Mac Davis (Chair) | Karl Held | Brad Schimel | Paul Geiszler |
| Jim Dwyer | Sam Benedict | Dan Vrakas | Joanne Huelsman |
| Jeff Scrima | Kathy Madden | | |

Absent:

| | |
|---------------|--------------|
| Peter Schuler | Dan Trawicki |
|---------------|--------------|

Also Present:

| | | | |
|-----------------|---------------|---------------|------------------|
| Sara Spaeth | Clara Daniels | Mike Giese | Julianne Klimetz |
| Vanessa Allen | Jerry Braatz | Rebecca Scott | Denise Symdon |
| Brian Scarberry | Steve Bailey | Rob Henken | Ellen Nowak |

Approve Minutes of March 24, 2010 Meeting

The minutes of March 24, 2010 were approved as amended with unanimous consent.

Introduction of & Remarks from New Department of Corrections, Division of Community Corrections Administrator, Denise Symdon – Karl Held/ Denise Symdon

Held introduced Denise Symdon. Symdon talked about her experience in corrections and how the Division of Community Corrections (DCC) can make a difference. As an administrator, she has lots of ideas of things she would like to do. The Department of Corrections (DOC) recently received \$10 million from Becky Young funds. Funds from that grant will be used to purchase a risk and needs assessment tool called Northpointe COMPAS which will change how the department supervises offenders. Implementation of the tool will begin in Region 5 (in the Eau Claire area) in July to September, 2010. A schedule needs to be set up to roll out the tool in the other DOC regions. During the roll out, the DOC will ask counties to work with the department on the risk and needs assessment tool.

Symdon said implementation of new OWI legislation in July will increase the DCC population considerably. The DCC is working with a committee/workgroup to decide how the division will supervise offenders and what strategies will be used to keep offenders from drinking and driving. The DCC is also working with the State of Wisconsin Departments of Transportation and Health and Human Services to decide what programs OWI offenders will go through in order to eliminate duplication. The division also needs to figure out how to work with OWI courts throughout the state. The division does not want to funnel all offenders to the DOC when OWI courts are successful. The OWI law changes will impact all Wisconsin counties.

Dwyer said Symdon will have a great opportunity to see Waukesha County's CJCC which is one of the more successful councils in the state. There is a strong commitment from partners. The missing link is to state government.

Davis said someone who is put on probation for OWI will get four contacts per year with the DCC. What will the DCC do to keep someone sober after being sentenced for an OWI? Symdon said the DCC has procured and is testing five TAD units to be used statewide. (After some discussion amongst the group, it was determined that TAD units are similar to SCRAM.) A number of tools will be used with resources being funneled to the highest risk populations. Not everyone will be supervised the same way. Dwyer asked if Waukesha County could field test TAD units? Symdon was not aware of where the TAD units were

allocated but said she would check. Davis said once the new OWI laws go into effect in July, he plans to make TAD mandatory, advising that the units should be ready for use.

Presentation: 180° Juvenile Diversion Program

Scarberry introduced Rebecca Scott, the new case manager for the 180° Juvenile Diversion Program. Scott said she has been involved with the program for 1.5 years mentoring students. This program is special and unique and gives kids who make poor choices a second chance. She said some of the kids in the program come from great families but have traveled down the wrong path. Other kids come from families where the moms are on crack and the kids have been raising themselves. This program gives kids a second chance by providing life skills and mentoring so they make a 180° change in their lives to have productive adult life styles. We owe it to this generation to give them a program that provides solidity for a productive adult life style.

Bailey and Scott presented an overview of the program which included a PowerPoint presentation with the following slides: what is diversion, why do we need diversion programs, background research, program structure, community collaborations, program funding, referral process, initial interview, educational component, restorative justice, case management, evaluations, progress to date and looking ahead.

Dwyer said family connection is important. What if the parent/grandparent is not willing to participate? Scott said if a child is under 18 years of age, the parent is required to participate. If the child is over 18, parents are required to attend the first meeting at a minimum. She keeps in contact with parents who are not able to attend classes. The advisory board decides if a parent should be excused from the program if they are unable to attend or if it would be in the youth's best interests to proceed without them.

Benedict asked what percentage of clients are indigent? Some program fees are so high they are not feasible for everyone. He thinks the program will have to argue against the point of view that it is only for affluent families. Scott said of the 23 participants enrolled in classes, six are on scholarships. Fees can be set on a sliding scale or the payments can be extended out nine months. Most people pay the fees by the end of the program. Kids in the program that do not have jobs are required to get them to pay for the program. Scarberry said no clients have been turned down for financial reasons.

Huelsman asked how much time is spent with clients? Scott said clients spend 72 hours in class and meet with case managers twice a month.

Benedict asked if a formal court diversion form had been developed? Schimel said no; most referrals from the DAs office are sent prior to charging. Charging the youth first would create a record in CCAP which is something the program hopes to avoid. Also, by sending referrals before youth are charged, the courts are not asked to delay sentencing. Post-sentencing requests generally come from attorneys. Davis said he has seen one or two cases where the judge delays the case two to three months to see how the youth are progressing extend it further as needed. Scott said progress reports are regularly submitted to attorneys and DA staff.

Dwyer asked if a long term tracking mechanism is in place to track success? Scarberry said they are working on developing a measure to capture long term progress. They want to do self reporting to maintain contact with the youth.

Schimel said the county has made an investment in this program through the use of office space, CDBG grant funding, liability insurance, financial staff, etc. Seventy-two hours, six months of monitoring and fees is a big investment. The DAs office is referring cases where the youth would ordinarily be charged and put on probation for crimes such as possession of marijuana and criminal damage to property. Youth committing

violent or sex offenses are not referred to the program. This program provides youth an opportunity to not return to the system and saves his office resources. After a case is reviewed in his office, letters about the program are sent to the families of candidates. It is up to the family to contact the program and register. The case is dormant until progress reports are received.

Update on Juvenile Justice Committee of the CJCC

Benedict said there is an important distinction between the juvenile justice system and the Juvenile Diversion Program. The Juvenile Diversion Program provides services for clients who are legally classified as adults. Juvenile justice relates to juvenile court issues. People between the ages of 17 and 20 are legally adults but children in many ways. Benedict has been the chair of the Juvenile Justice Committee since its inception. The committee will soon have its fourth judge since the committee was formed when Judge Bohren rotates to Juvenile Court in August. The committee works in an advisory capacity for juvenile justice programs operated by Waukesha County. The committee reviews these programs and also serves as the Juvenile Crime Enforcement Coalition under the Juvenile Accountability Block Grant funding. The committee continues to discuss needs and gaps in juvenile services.

Benedict distributed and reviewed a handout titled Waukesha County DHHS Delinquency & Truancy Referrals 2000 – 2010. He said there has been a downward trend in the number of delinquency referrals since 2000 but the number of property crimes is increasing. Truancy was declining and then stabilized. Even though there has been fewer delinquencies, resources are still needed to handle the increase in the number of juvenile justice cases that do not involve juvenile crimes such as CHIPS and JIPS cases, guardianships, termination of parental rights, etc.

Benedict asked how is the Juvenile Justice Committee connected to the CJCC, which has an emphasis on combating drunk driving? First time OWI offenders and juvenile drinking is handled in municipal courts and not juvenile courts. Many of youths' first experiences with drinking are not necessarily handled through the juvenile court system. The juvenile court responds accordingly but it is suspected that there are many more incidents that are not addressed that make youth at risk. What are the expectations of the CJCC for the Juvenile Justice Committee? Is the Juvenile Justice Committee going in the right direction? This is the only CJCC committee that works in an advisory capacity for the juvenile system.

Madden asked if the committee discussed collaborating with municipal courts? Benedict said the committee members work in the schools, law enforcement and are community members. Bringing in municipal judges may be a great option. Schimmel agreed with Madden's comment.

Update from Public Policy Forum (PPF) on Research Completed & Current Projects: October 2009 through May 2010

Henken distributed and reviewed a handout outlining the work done by the PPF for Waukesha County which includes:

- 94.5 hours of research and 28.5 hours of meetings.
- Planning for the future of Waukesha County's Huber facility.
- Brief overview of types and costs of electronic monitoring devices.
- Milwaukee County Community Justice Resource Center Budget Summary.

The PPF is currently researching the utilization of inmate work crews for the Huber Study Committee. Henken said the PPF provides objective research on state legislative matters for Milwaukee County.

Update on Phase Out of CJCC Operating After Revocation Program

Luczaj said last year when OAR laws changed, she and others began working on strategies to address the anticipated decline in referrals to the OAR Program. As projected, referrals to the OAR Program have

declined. Schuler and Luczaj met with Sara Carpenter of WCS, and Waukesha County Department of Administration staff and County Executive Vrakas to discuss phasing out the program and funding reallocation. It is recommended to phase out the OAR Program at the end of June 2010 and redistribute the program funding to three other areas within the CJCC budget. Luczaj distributed and reviewed a handout titled *Recommendations for Reallocation of CJCC OAR Program Funding, July – December 2010*. The plan would redistribute \$7,861 to WCS for administrative overhead to the remaining six CJCC programs to prevent negative impact on service delivery and program operations for 2010. It would also reallocate \$10,098 to the Intoxicated Driver Intervention Program in anticipation of DOT funding cuts to ensure the program remains at current capacity for July 1, 2010 – June 30, 2011. Finally, \$10,098 would be reallocated to Alcohol treatment Court (ATC) Program to compensate for an anticipated shortage in revenue collected from client participation fees in 2010. Luczaj said if approved, the program would be phased out June 30, 2010. Current clients have been advised of the steps needed to reinstate their drivers' licenses and have been notified that the program will end in June. It is the best decision to end this program and reallocate the funding.

Vrakas said he is confident the funding from the DOT will be \$10K less than last year.

MOTION: Dwyer moved, Held second, to approve the course of action outlined above and in the handout titled *Recommendations for Reallocation of CJCC OAR Program Funding, July – December 2010*. Motion carried 9-0.

Update on Change in Payment Terms for Contract with Public Policy Forum

Luczaj said Waukesha County collaborated with four other jurisdictions, the City of Waukesha taking the lead, to get a federal Byrne Grant. Waukesha County chose to spend their portion of the funds to pay for the services of the Public Policy Forum (PPF) over a three year period. The other communities spent their funds up front on tangible goods. The City of Waukesha, who is responsible for completing quarterly reporting for the grant, requested that Waukesha County prepay its contract with the PPF in order to close out the grant and eliminate lengthy reporting requirements. The CJCC Executive Committee agreed that the City of Waukesha was making a reasonable request. Luczaj said she was able to change the payment option in the PPF contract in order to pay for services upfront. The PPF will continue to providing matching funds for services.

Next CJCC Meeting

July 28, 2010 at 8:30 a.m., C179

The meeting adjourned at 10:00 a.m.