



Waukesha County Criminal Justice Collaborating Council Pretrial Committee Minutes Wednesday, October 2, 2019

Members Present

Hon. Jennifer Dorow
Sara Scullen

Sue Oppen
JoAnn Eiring

Monica Paz
Michelle Larsuel

Members Absent

Craig Kuhary

Others Present

Rebecca Luczaj
Mary Wittwer
Jeremy Perri
Mandy Bisek (via phone)

Janelle McClain
Kevin Costello
Abbey Nickolie
Kate Holinka (via phone)

Sara Carpenter
Karla Gabor
Anna Kees

Dorow called the meeting to order at 12:02 p.m.

Approve Minutes from September 4, 2019 Meeting

Motion: Oppen moved, second by Larsuel, to approve the minutes from the September 4, 2019 meeting of the CJCC Pretrial Committee. Motion passed without a negative vote.

Discuss and Consider Committee Membership Change

Motion: Oppen moved, second by Larsuel, to replace Sam Benedict with Jeremy Perri, State Public Defender Regional Attorney Manager. Motion passed without a negative vote.

The meeting minutes have been changed to match the order of the meeting, which was altered to allow better timing for the conference call.

Reminder of Upcoming PSA Stakeholder Trainings

10/24/19 – Rock County

10/25/19 – Waukesha County

Luczaj distributed and Dorow reviewed the flyer for the upcoming PSA Stakeholder Trainings.

Discuss 2020 Committee Meeting Schedule

Motion: Eiring moved, second by Paz, to move the meeting schedule to the second Wednesday of the month, as of January 1, 2020. Motion passed without a negative vote.

Announcements

WCS Pretrial monitoring compliance summaries (including violations) will be sent to the Court prior to the next scheduled hearing, if within 10 calendar days. All violations related to tampering, consumption, and unauthorized zones, as well as any violations that occur more than 10 days prior to the next scheduled hearing, will be reported to the Court immediately.

Conference Call with Mandy Bisek, La Crosse County Justice Support Services Manager

Luczaj stated that Bisek is her counterpart in La Crosse County. La Crosse County implemented the PSA in March 2019 and uses county staff to operate pretrial services, not a contracted provider. La Crosse County does not have court commissioners or a Huber facility. Judges set bail, where their options for defendants awaiting case disposition include jail or electronic monitoring (with or without pretrial supervision). The Sheriff's Department conducts NCIC criminal background checks for the Pretrial Services staff to score the PSA. Their Department of Health and Human Services (DHHS) utilizes Avatar, as does Waukesha County's DHHS, and their IT department developed additional capabilities for Avatar to include the PSA questions and automatic scoring. La Crosse had fewer complications implementing the PSA since their county staff operates Pretrial Services.

Luczaj reported that there continues to be a delay with the WI DOJ's contract with Automon to provide software for the rest of the pilot sites. Luczaj has talked to Waukesha County's HHS IT Division regarding the possibility of utilizing Avatar as La Crosse County does, and they are currently looking into this option.

Luczaj stated that, at the PSA Stakeholder training on October 25, Waukesha County would have the results of approximately 200 sample PSAs conducted on Waukesha County defendants, utilizing CCAP for background checks, and will present that data, along with where those individuals would be placed on the RCM. Opper will ask her investigator from the Sheriff's Department to run a sample of the defendants through NCIC so that WCS can re-run the PSA and determine whether NCIC criminal background checks altered scores on the PSA. WCS and Opper will collaborate on this project prior to the training.

Larsuel left at 12:29 p.m.

The conference call with La Crosse County began at approximately 12:30 p.m. Bisek stated that La Crosse County conducts pretrial screening Sunday through Friday, and currently administers the PSA on all in-custody defendants, as well as additional screening tools, to include the UNCOPE, COMPAS, and mental health assessments. They will transition to screening out-of-custody defendants as well, once an additional Pretrial Screener is hired. Judges order defendants to Justice Services, who then determines frequency of supervision. Judges will also order specific bond conditions.

La Crosse utilizes GPS and drug/alcohol testing; they do not have SCRAM. Justice Services determines the frequency for drug/alcohol testing utilizing a color line; however, they may change the process in the near future. They would like to cut back on the frequency of testing, but still need to discuss the plan with the county's stakeholders.

Bisek stated that, anecdotally, La Crosse County has not seen a decrease in the number of defendants supervised after implementation of the PSA. However, it may be too early to assess the impact of the PSA since they have only been using the tool since March.

Carpenter stated that ETG, a urine alcohol test, is cheaper, but the window of detection is smaller. Carpenter recommends utilizing SCRAM because otherwise alcohol use may go undetected.

Review and Discuss Updated Pretrial Electronic Monitoring Data

This agenda item has been tabled until a future meeting.

Discuss Agenda Items for Next Meeting

- Conference call with Outagamie County regarding their experience with PSA implementation
- Continue to discuss the Release Conditions Matrix (RCM)
- Review the "bump up" statute list impacting placement on the RCM

Public Comment

There was no public comment.

Adjourn

Motion: Opper moved, second by Paz, to adjourn the meeting at 1:13 p.m. Motion passed unanimously.