



**Waukesha County Criminal Justice Collaborating Council
Victims' Rights Committee Minutes
Monday, June 24, 2019**

Team Members Present:

Hon. Michael Aprahamian
Jen Dunn
Kendall Schultz

Eryn Menden
Marla Bell

Monica Paz
Chrissy Preston (via phone)

Also Present:

Rebecca Luczaj

Janelle McClain

Dunn called the meeting to order at 12:06 p.m.

Approve Minutes from April 29, 2019 Meeting

Motion: Paz moved, second by Dunn, to approve the minutes from April 29, 2019. Motion carried unanimously.

Update on Proposed State Victim Legislation

Dunn reported that there are no current updates, as everything is on hold with the legislature at this time.

Review & Discuss Restitution Affidavit Process Flow Chart

Paz distributed and reviewed a document titled "Restitution Affidavit Process."

At the All Judges' meeting, the judges felt that things were going well with the process; however, some of the judges expressed confusion as to why victims were still attending court if they filed the affidavit. Committee members agreed that the victim should not have to attend when there is a filed affidavit.

Aprahamian arrived at 12:18 p.m.

When a Restitution Hearing is scheduled, Schultz asks the Assistant District Attorney (ADA) exactly what is being contested so she and the victim can focus on gathering that specific information. Once she gets the documentation, she files it, but then does not hear if the affidavit was received.

Aprahamian suggested having the judges mention the actual date that the defense has until to request the victim to be present so that it is on record (the request must be filed 10 days before the hearing). If there is no note of defense asking for the victim in CCAP by the deadline, the victim does not need to attend. If the affidavit is not signed and notarized, the victim has to attend the hearing and Schultz should still e-file the unsigned affidavit. Menden requested making a specific note that it is unsigned when e-filing as a flag to all parties.

Schultz has been developing spreadsheets of data for tracking restitution and hearing information. Aprahamian suggested running reports in CCAP to assist with the tracking.

Paz asked about cases with multiple victims. How do we notify them when hearings are cancelled due to restitution issues being resolved? If there are multiple victims, the District Attorney's Office will send a letter explaining the status of restitution affidavits, and whether or not hearings must remain on the calendar.

Menden mentioned that she appreciated having as much notice as possible of the restitution amount, even if it is a rough estimate, to increase the chances of repayment by the defendant.

Discuss Strategies to Increase Victim Privacy

The committee discussed some of the areas to target to increase victim privacy, to include:

- Restitution (what is e-filed versus shared with the defense)
- Victim Impact Statements
- Criminal Complaints
- Witness Privacy

Dunn stated that there are two issues: what should be shared with the public and what should be shared with the defendant. There is currently no protocol to ensure that the victims know when their information will be shared. The committee's focus should be on how to keep certain information off CCAP.

The state is also working on victim privacy and is promoting the use of initials, as well as reducing the amount of information shared.

Other Items for Discussion

Arahamian reported that the WI Court System's Planning and Policy Advisory Committee (PPAC) is currently voting on state court priorities, and victims' rights has been added to the list of priorities for judges to vote on. He will keep the committee updated on this once the priorities have been chosen.

Discuss Agenda Items for Next Meeting

- Continue discussion on victim privacy issues

Adjourn

Motion: Arahamian moved, second by Bell, to adjourn the meeting at 1:05 p.m.