



Waukesha County  
Criminal Justice Collaborating Council  
Evidence-Based Decision Making Case Processing Workgroup Minutes  
Thursday, April 20, 2017

**Team Members Present:**

Sue Opper

Michael Neimon

Katie Kegel

Molly Jasmer

Kathy Madden

Chris Ehrfurth

**Team Members Absent:**

Hon. Ralph Ramirez

**Others Present:**

Kristina Gordon

Rebecca Luczaj

Mimi Carter

Janelle McClain

Brittany Marin

Opper called the meeting to order at 7:36 a.m. The meeting began with introductions amongst committee members and guests present.

**Approve Minutes from March 30, 2017**

Motion: Madden moved, Neimon second, to approve the minutes of March 30, 2017. Motion carried unanimously.

**Update on Text Message Court Reminders & Impact on Failure to Appear (FTA) Rate**

Madden distributed and reviewed a document titled "Estimated Average Failure to Appear Rate for One Year Prior to Implementation of Text Reminders in the Criminal [and] Traffic Division." The statistics included on the handout reflect FTA totals prior to the courts implementing text message reminders of court dates to defendants. The Criminal/Traffic Division started using text reminders in March 2017.

Opper stated that WCS is collecting cell phone numbers through pretrial screening, and could work with the clerks to get them that information. Madden confirmed that this is already being worked on. The current system of attempting to collect cell phone numbers at intake court does not appear to be working very well.

Kegel arrived at 7:41 a.m.

Madden left at 7:44 a.m.

**Review and Discuss Outcomes from 4/18 Pretrial Conferencing**

Marin distributed and reviewed a document titled "Summary Data of Branch 3 Pretrial Pilot." The report has been changed to a cumulative summary versus a detailed list of each individual case.

The April 18 pretrial conference clearance rate of cases was 76.39%, which is the highest clearance rate of all pretrial conference dates thus far in the pilot.

Neimon stated that ideally, the goal is to have average time to disposition be less than 100 days. We should start seeing this change once pretrial conferences are held in other branches as well.

Kegel stated that she is still having issues getting intake court cases added to the Branch 3 pretrial calendar. Gordon stated that it has been the same experience for the ADAs; if the clerk denies her request, she is persistent. Other attorneys may not push for this as much.

Marin stated that Ramirez has expressed interest in having other judges start pretrial conferences as well.

Opper would like the summary data to reflect the number of defendants who appeared with attorneys. Marin will add it. Gordon stated that many were showing up with attorneys, but OARs and OWLs tend to be pro se. In addition, those coming up from Intake Court did not have attorneys.

There continues to be confusion for OAR and OWL cases, especially with Spanish speakers. There is an issue with having an interpreter available at Intake Court, as well as available for Judge Ramirez for those defendants who go right up to his courtroom. Gordon suggests having the Commissioner explain the possible outcome scenarios to the defendants at Intake Court so it is clear that we do not know what the outcome of the case will be until they talk to the ADA. Ehrfurth also suggested looking into having a bilingual private bar attorney stay and assist if that is feasible.

Neimon commented that with the courthouse remodel project, we could include the addition of a video at Intake Court, which would explain the process in both English and Spanish. In the interim, Gordon volunteered to compose a letter explaining the process, in both English and Spanish.

Windy Jicha had contacted Luczaj and stated that the Sheriff's Department was unaware of the pretrial conferencing pilot, and it has negatively affected their identification unit where defendants report from court, overwhelming staff and workflow. Opper will follow-up with Jicha and let her know the future pretrial conference dates.

Marin reported that Ramirez said OARs and OWLs are not being set for trial anymore since starting the pretrial conferencing pilot, which is a great success!

Jasmer left at 8:15 a.m.

OWI misdemeanors are eligible for pretrial conferences, but Gordon stated there is not a lot of flexibility in negotiating these. Kegel is unsure if other attorneys are aware that misdemeanor OWIs are eligible for pretrial conferencing. She said that all clients who resolved their cases, as well as their attorneys, were very pleased with the process.

Carter suggested distributing a short survey to obtain feedback from all participants, such as judges, defendants, attorneys, etc.

### **SPD Pilot Data Comparison from February 2016 and February 2017**

Luczaj distributed a spreadsheet titled "State Public Defender Screening Pilot" for review prior to the next meeting.

### **Review Revised OAR Information Sheet**

This item has been tabled until a future meeting.

### **Discuss Agenda Items for Next Meeting**

The May 4 meeting is cancelled; the group will resume meeting on May 18.

**Adjourn**

The meeting adjourned at 8:22 a.m.