



Waukesha County Criminal Justice Collaborating Council
Pretrial Committee Minutes
Wednesday, October 13, 2021

Members Present

Hon. Jennifer Dorow (Chair)

Monica Paz

Craig Kuhary

JoAnn Eiring

Jeremy Perri

Neil Dussault

Kevin Costello

Members Absent

Sue Opper

Others Present

Rebecca Luczaj

Mary Sweeney

Christine Olsen

Janelle McClain

Anna Kees

Abbey Nickolie (proxy for Opper)

David Herring

Dorow called the meeting to order at 12:19 p.m.

Approve Minutes from September 8, 2021 Meeting

Motion: Paz moved, second by Perri, to approve the minutes from the September 8, 2021 meeting of the CJCC Pretrial Committee. Motion passed without a negative vote.

Update on Plan to Merge Intoxicated Driver Intervention Program (IDIP) and Pretrial Supervision as of January 1, 2022

Luczaj stated that as of January 1, the two pretrial supervision programs will be merged to lessen confusion at Intake Court and streamline referrals to supervision, although there will be no change to service delivery. The Commissioners will still need to order a specific level of supervision on the RCM; however, WCS will determine the frequency of drug testing, if ordered.

If the court official wants the defendant to have drug/alcohol testing as a requirement of their bond, Dorow wants drug testing to specifically be ordered on the record, but WCS has discretion as to the frequency of that testing.

Dorow will meet with the commissioners to review the standard bond language and present any revisions at a future meeting. Any changes will go into effect January 3, 2022.

Overview of WCS Pretrial Drug Testing Recommendations

Eiring distributed and reviewed documents titled, "Recommendations for Drug Testing Pretrial Defendants Ordered to Supervision" and "The UNCOPE."

The group discussed whether "absolute sobriety" ordered as a condition of bond means automatic PBTs/drug testing; WCS has been interpreting it that way, otherwise they cannot ensure that the defendant is maintaining "absolute sobriety" as ordered by the court.

Nickolie stated that there are two different standard texts used for CAM monitoring; 1 is unlimited and the other says "pursuant to IDIP supervision." Paz will review the standard text codes and update the group at the next meeting.

Kuhary recommended a uniform policy/protocol for CAM; otherwise, if CAM is ordered open-ended, it results in multiple motions to the court. He likes the current protocol used for OWI offenders.

Kuhary left at 1:18 p.m.

Update on Pretrial Drug Testing Data Collection Project

WCS has started to collect data on pretrial drug testing as of September 27. They will present the preliminary data at the next meeting.

Discuss 2022 Committee Meeting Schedule

The committee will maintain the current meeting schedule of the second Wednesday of each month at 12:15 p.m. in 2022. McClain will send a recurring Outlook invite to the committee to schedule these meetings.

Announcements

Dorow announced that there will be a Marquette University student completing a practicum with the CJCC for the spring 2022 semester. The CJCC will determine the assigned project(s), which will most likely be related to pretrial.

Luczaj announced that Waukesha County has signed a contract with AutoMon for AIMS Pretrial PSA/case management software. There will be an upcoming kickoff meeting, followed by staff training. Luczaj hopes to implement the software in November.

Discuss Agenda Items for Next Meeting

- Continue to discuss merging the pretrial supervision programs in 2022
- Review data collected on pretrial drug testing
- Review standard court text codes
- Update on revisions to standard bond language

Public Comment

There was no public comment.

Adjourn

Motion: Dussault moved, second by Eiring, to adjourn the meeting at 1:24 p.m. Motion passed unanimously.