



Waukesha County Criminal Justice Collaborating Council Executive Committee Minutes February 12, 2018

Committee Members Present: Judge Jennifer Dorow (chair) (via phone), Sam Benedict, Paul Decker, Paul Farrow, Sue Oppen, Antwayne Robertson

Committee Members Absent: Eric Severson

Also Present: Mike Giese, Rebecca Luczaj, Janelle McClain

Decker called the meeting to order at 8:47 a.m.

Approve Minutes from November 13, 2017 Meeting

Motion: Robertson moved, second by Farrow, to approve the minutes from November 13, 2017. Motion carried unanimously.

Benedict arrived at 8:48 a.m.

Update on EBDM Initiative in 2018

Luczaj recently attended a meeting in Madison with Lori Eville from the National Institute of Corrections (NIC). Eville stated that the WI DOJ had submitted a proposal for continued EBDM technical assistance, and it has been recommended for funding by NIC. There are no specific details yet; however, Eville believes that the technical assistance would start in April and last for one year. Eville is not sure what this phase of the EBDM Initiative would be called, but indicated that it would be more project-based than past phases. This means that, rather than have Mimi Carter come here every other month to attend Policy Team and workgroup meetings, the technical assistance would be focused on the Pretrial Pilot project, as well as other special project needs that are identified by the Policy Team. Luczaj commented that this will be the start of the 9th year that NIC has funded the EBDM Initiative, which is very uncommon for the federal government to fund projects for this length. An application will need to be submitted by the state and EBDM counties, similar to Phase VI.

Luczaj stated that we are gearing up to begin implementation of the Pretrial Pilot project. Preparation began on February 2 with a pretrial best practices training with the court commissioners and three judges. Carter conducted the training in preparation for the upcoming PSA Stakeholder's training on February 27.

NIC will be conducting a Pretrial Essential Elements training, which is a shortened version of the Colorado training several Policy Team members attended, in Madison on February 20 and 21. Ten people will be attending from Waukesha County, to include: Luczaj, Judge Bugenhagen, a court commissioner, two State Public Defender attorneys, two Assistant District Attorneys, two WCS employees, and Captain Gabor from the Sheriff's Department.

Carter will conduct the PSA Assessors training for the pretrial screeners on February 26 in Madison. The training will be specific to the tool, reviewing administration, scoring, etc.

The PSA Stakeholders training will be occurring in the Waukesha County Boardroom on February 27 from 1-4 p.m. Oppen and Benedict will present an opening overview of EBDM, and Carter will conduct the training on pretrial best practices and the PSA. This event will focus on the research behind developing the tool, validity, interpreting the results, etc. Dorow has made the training a priority with the judges, so she hopes they and the commissioners will be present. Two commissioners will be attending the same training in Rock County the morning of February 27 so they will be available for Waukesha County hearings in the afternoon.

The date for the PSA implementation has not been decided yet. The DOJ is putting together an implementation plan for the EBDM counties; however, there are two holdups. The first is procuring software for scoring the assessments and maintaining the data. The second holdup is obtaining access for the pretrial screeners to the National Crime Information Center (NCIC), which gives a complete, nationwide criminal history for defendants being screened and is required for PSA implementation.

All of the EBDM counties have completed their failure to appear (FTA) and new criminal activity (NCA) rate baseline data collection for the PSA pilot. The state randomly pulled 350 CT/CM/CF cases that occurred between January and June, 2016. Monica Paz from the Clerk of Courts Office analyzed the 350 cases, and determined that 301 of the defendants were released during the pretrial phase, qualifying them for the data sample. Of the 301 cases, 28% had a FTA at some point during the pretrial phase. It is important to note that this FTA rate pre-dated Waukesha County's implementation of text message court reminders in 2017, and since then, there has been a significant decrease in the FTA rates.

Discuss and Consider Revised CJCC By-Laws and Organizational Structure

Luczaj distributed and reviewed documents titled "Waukesha County Criminal Justice Collaborating Council Organizational Chart" and "Waukesha County Criminal Justice Collaborating Council Amended By-Laws." Luczaj will email the previous version of the by-laws if anyone wants to compare the two versions.

The committee recommended that Luczaj add the titles of the Executive Committee members to the by-laws.

At the next CJCC Executive meeting on March 12, there will be a vote on the amended by-laws and the recommendation of a vice-chairperson. The recommendations will then be taken to the CJCC for a vote at their next meeting on March 28.

The committee agreed to cancel all future EBDM Policy Team meetings and merge the EBDM Policy Team with the CJCC, continuing to meet following the already established meeting schedule of the CJCC, which is the fourth Wednesday of every other month, from 8:30 – 10:00 a.m. McClain will send updated Outlook notices.

Next Meeting

The next meeting is March 12. Benedict will email Dorow to request that a proxy attend in his absence.

Adjourn

Motion: Robertson moved, second by Opper, to adjourn the meeting at 9:23 a.m. Motion carried unanimously.