



Waukesha County Criminal Justice Collaborating Council Case Processing Committee Minutes

Friday, December 17, 2021

Team Members Present:

Michael Neimon (Co-Chair)
Monica Paz

Hon. Paul Bugenhagen
Paul Crawford

Sue Opper (Co-Chair)
David Herring

Team Members Absent:

Neil Dussault

Jessica Klein

Others Present:

Rebecca Luczaj

Janelle McClain

Steven Hughes

Opper called the meeting to order at 7:35 a.m.

Approve Minutes from October 28, 2021 Meeting

Motion: Bugenhagen moved, Paz second, to approve the Case Processing Committee minutes of October 28, 2021. Motion carried without a negative vote.

Update on US Department of Justice, Bureau of Justice Assistance (BJA) *Smart Prosecution Grant Award*

Opper stated that the District Attorney's (DA) Office was approved for a 2-year grant, starting October 1, 2021. The grant will allow the DA's Office to hire another prosecutor to help address the digital/technology crimes backlog from the pandemic, as well as a couple part-time staff.

Herring arrived at 7:39 a.m.

Update on Courtroom Tower Readiness and Occupancy

Neimon reported that the tower occupancy is still scheduled to occur on January 4. A jury trial was held in the tower this week with Judge Melvin, intakes and preliminary hearings will be held today, and Bugenhagen will hold a jury trial next week. The technology appears to be working well; however, parties still need to test sending information to the jury room so that the jury does not have to be called back into the courtroom.

Update on Criminal Case Backlog

Paz reported that in November, cases were reassigned to judges by case type to allow for equal numbers of cases; however, the reassignments will not be official until January 4.

Paz provided the following statistics for 2021 through November:

- 1816 felonies have been opened, but not filed
- 2279 misdemeanors have been opened
- 1278 criminal/traffic cases have been opened

Paz also shared the following statistics for November 2021:

- 157 felonies opened
- 177 felonies closed
- 495 cases opened (all case types)
- 538 cases closed (all case types)

Bugenhagen reminded attendees that there will be cases that take a while longer as they transition to Judge Bohren. Paz stated that the cases transferred were less than 100 days old.

Discuss Progress of Pretrial Conferencing and Outcomes

Paz distributed and reviewed a document titled, "Pretrial Program 2021."

Herring expressed concern that pretrials are being scheduled out through mid-May; defendants are able to get on judges' calendars prior to that date.

Paz and Opper are discussing the idea of having an additional pretrial date every other month, starting in February. Paz would consider Fridays; however, Opper is concerned about DA staffing shortages and other obligations on Fridays.

Opper stated that the pretrial conference offers will be getting reviewed and streamlined because defendants are willing to wait, thinking they will get a better deal at the pretrial conference versus in front of a judge.

Announcements

The State Public Defenders (SPD) Office is still unable to send a staff member to hold on-site evaluations, due to staffing restrictions. Crawford commented that holding the evaluations via Zoom has been helpful for the SPD. He will confirm with Jeremy Perri if the SPD's Office can handle Zoom evaluations on Tuesdays and Thursdays.

Discuss Agenda Items for Next Meeting

- Crawford announced that he will be moving to private practice as of January 1, so the SPD's Office will need to identify a new representative for the committee

Public Comment

There was no public comment.

Adjourn

Motion: Crawford moved, Paz second, to adjourn the meeting at 8:18 a.m. Motion passed unanimously.