



Waukesha County Criminal Justice Collaborating Council
Evidence-Based Decision Making Pretrial Workgroup Minutes
Wednesday, September 6, 2017

Team Members Present:

Judge Jennifer Dorow (Chair)
Laura Lau

Mary Wittwer
JoAnn Eiring

Frank McElderry
Sue Opper

Team Members Not Present:

Sam Benedict

Craig Kuhary

Also Present:

Rebecca Luczaj
Anna Kees

Janelle McClain
Monica Paz

Daniela Imig

Dorow called the meeting to order at 11:52 a.m.

Approve Minutes From August 7 and August 21, 2017 Meetings

Motion: Opper moved, second by McElderry, to approve the minutes from August 7 and August 21, 2017.
Motion passed unanimously.

Review & Discuss Pretrial Decision Making Framework and Behavior Response Matrix

Luczaj distributed, and Dorow reviewed, the March 2017 Pretrial Protocol version of the “Wisconsin Pretrial Decision Making Framework.”

For Waukesha County, “RORs” on the chart will be replaced with “SB” for signature bond. Dorow stated that requiring a co-signer on bonds will still be left to the court official’s discretion. Property bonds, while rarely utilized, will require a Judge’s approval.

The workgroup agreed to the following changes to the Pretrial Decision Making Framework:

- Change the felony box at NCA 4/FTA 5 to “Level 5 & Financial”
- “Court Date Reminder” would be “Yes” for all levels; the reminders will continue to be sent from CCAP/Clerk’s office
- For levels 3 and 4, change “TOTs” from “Yes” to “Contact WCS within 24 hours”
- Change Level 5 “Bail” to “SB (Misd.) or Cash (Fel.)”
- Change the name of the bottom chart from “Authorized Conditions” to “Recommended Conditions”
- Make a note that the “Recommended Conditions” will exclude IDIP cases

We may dually-screen OWI defendants, utilizing the current IDIP tool as well as the PSA, to determine the consistency between the two tools.

Imig believes that, depending on the database used to enter the PSA information, there should be a way to print off the screening reports to submit them for e-filing. Dorow would like to ask the state how other jurisdictions are filing these reports, and if they are filed as confidential, what their rationale is for doing so.

The Recommended Conditions would be authorized by the courts, not the pretrial services agency. Dorow suggested having an internal document stating that the Recommended Conditions are not an exhaustive list,

and that other conditions can be ordered that are not on the list; however, the additional conditions, such as “no contact” or “no weapons,” would not be monitored by the pretrial services agency. Luczaj stated that the WI DOJ is currently considering two case management software tools for use with the PSA: ePre-Trial and AutoMon.

The group agreed that court letters will only be sent for non-compliance with pretrial release conditions.

Lau left at 12:57 p.m.

Discuss Agenda Items for Next Meeting

The group will review the Pretrial Protocol’s Behavior Response Matrix at the next meeting.

Adjourn

The meeting adjourned at 1:05 p.m.