



## Waukesha County Criminal Justice Collaborating Council Minutes Wednesday, November 28, 2018

### Team Members Present:

Hon. Jennifer Dorow, Chief Judge & Chair  
Sheriff Eric Severson  
DOC Community Corrections Field Supervisor Marla Bell  
DOC Regional Chief Sally Tess  
SPD Regional Attorney Manager Sam Benedict  
Clerk of Circuit Court Gina Colletti  
Town of Brookfield Municipal Judge JoAnn Eiring  
Sara Carpenter (proxy for WCS Administrator)

### Team Members Absent:

Victim Witness Coordinator Jen Dunn  
Citizen Member Jody Huelsman

### Others Present:

County Supervisor Larry Nelson  
Sr. Administrative Specialist Janelle McClain  
State Special Projects Coordinator Tommy Gubbin  
HHS Clinical Services Manager Joan Sternweis

District Attorney Sue Opper  
County Board Chair Paul Decker  
County Executive Paul Farrow  
City of Waukesha Mayor Shawn Reilly  
UW-Extension Director Jerry Braatz  
Menomonee Falls Police Chief Anna Ruzinski  
District Court Administrator Michael Neimon

HHS Director Antwayne Robertson

WCS Program Director Mary Wittwer  
CJCC Coordinator Rebecca Luczaj  
Director of State Courts Legal Advisor Amber Peterson

### Welcome

Dorow called the meeting to order at 8:33 a.m.

### Presentation: WI Department of Justice Safe at Home Program

Peterson distributed and reviewed a PowerPoint presentation titled "Safe at Home Address Confidentiality Program."

Wisconsin was the 37<sup>th</sup> state to put a program like this in place in April 2017, with nearly 600 applicants to date. Participants can choose to leave the program early, but will need to reapply every 5 years.

Participants are given a card that shows that they are in the program and gives the mailing address. The only information that is confidential is the physical address that the participant is at. The fact that the participant is involved in the program is not confidential.

If an article of mail appears urgent, a DOJ employee will call the participant to inquire if the participant wants the employee to open the mail and read them the contents. The article of mail will still be sent to the participant.

In the event that a participant is served legal papers, they are served to the DOJ who will then send the information to the participant.

Peterson has not heard of participants having difficulty when voting. The participant is able to receive an affidavit stating that they do live in the voting ward that they are reporting to. If a participant is summoned for jury duty to Dane County, they are able to reply to the Court to let them know that they are a Safe at Home participant, and they do not live in Dane County.

Neimon arrived at 8:39 a.m. Reilly arrived at 8:55 a.m.

### **Approve Minutes from September 26, 2018**

Motion: Ruzinski moved, second by Reilly, to approve the minutes from September 26, 2018. Motion carried unanimously.

### **Update on Alcohol Treatment Court (ATC) Name Change to Operating While Intoxicated (OWI) Treatment Court**

Dorow stated that the CJCC Executive Committee approved the name change to be more consistent with statutory language, as well as to be more reflective of the population served by the court, which includes drugged drivers as well.

### **Update on DOJ Pretrial Pilot Project**

#### ***Laura and John Arnold Foundation Public Safety Assessment MOU***

Luczaj reported that the MOU is fully executed, with all counties and The Arnold Foundation having signed off on the MOU.

### ***CJCC Ordinance for NCIC Access***

Luczaj distributed and reviewed a document titled "Ordinance Administrative Fact Sheet."

The WI Crime Information Bureau (CIB) and the FBI assisted Luczaj with the wording for the ordinance, suggesting creating a subunit of the CJCC that is focused on pretrial services. The "subunit" would encompass the pretrial services contracted programs, which include Pretrial Screening, Pretrial Intoxicated Driver Intervention, and Pretrial Supervision.

Luczaj will present the ordinance to the HHS Committee on 12/6, and then it will go to the County Board on December 18 for approval. After the ordinance has been passed, Luczaj will resubmit the NCIC application. She hopes to have an answer in January. If access is denied again, Waukesha County will then look into utilizing the Circuit Court's ORI. The downside to this scenario is that the Courts would then need to be the pretrial services contract holder, which would mean they would need to provide administrative oversight of the pretrial programs.

### **CJCC Committee Updates**

#### ***Pretrial***

Dorow reported that the committee has been focusing on gearing up for PSA implementation and obtaining NCIC access.

#### ***Case Processing***

Neimon stated that the committee is progressing with the pretrial conferencing project. Pretrial conferences are held twice a month, with all of the criminal/traffic judges on a rotating schedule. The pretrial conferences have resulted in a 64% overall case clearance rate.

Committee members recently had a tour of the jail to assist them in anticipating potential delays that will most likely occur with the courthouse remodel project.

#### ***Alternative Interventions***

Benedict shared that the committee has been focused on planning for diversion program implementation. Interviews will be held on Monday for a new Diversion Coordinator who will be key to implementing the diversion program. The position will start in January.

#### ***Mental Health***

Ruzinski reported that the CIT Collaborative Committee is meeting regularly. The committee has identified that future CIT trainings need to include a section on dementia and older adults.

The Mental Health Committee also continues to meet quarterly with the area hospital providers, which includes the Winnebago Mental Health Institute.

### ***Victims' Rights***

Bell stated that the committee has been working on changing local rules to include the use of a Restitution Affidavit, which will reduce harm to victims by allowing them to submit an affidavit to claim restitution in lieu of attending court in person. Aprahamian is leading the effort to make the change, and the local rule will need to be presented at two judges' meetings before being approved. The committee is finding it difficult to obtain data to show the effectiveness of the restitution affidavit project, as everything that has been noted thus far, has been anecdotal.

Bell added that the committee will be reviewing and updating the work plan for 2019.

### **State EBDM Team Update**

Gubbin distributed and reviewed a document titled "State EBDM Updates; November 2018."

Farrow left at 9:27 a.m.

Gubbin's updates included:

- For 2019, NIC EBDM technical assistance for counties will likely be in the form of telecommunication, versus in-person site visits.
- The State has been focused on the new pretrial PSA tool implementation.
- The next State CJCC meeting will be the first week of December.

Dorow added that the last Legislative Study Committee meeting was focused on making changes to statute and constitution language surrounding bail.

In response to a question by a CJCC committee member, Gubbin stated that, even with the leadership changes at the state level, the EBDM Initiative is embedded enough that it will continue.

Decker inquired if the state tracks the number of marijuana possession cases, in light of the various referendums that were recently voted on. Opper responded that a report could be run from the District Attorney's Office. Ruzinski added that possession of smaller amounts of marijuana is an ordinance violation, so each municipality would need to be asked for the data.

### **Adjourn**

Motion: Decker moved, second by Ruzinski, to adjourn the meeting at 9:37 a.m.