



**Waukesha County
Criminal Justice Collaborating Council Minutes
Wednesday, May 23, 2018**

Team Members Present:

Hon. Jennifer Dorow, Chief Judge & Chair
WCS Administrator of Court Services Daniela Imig
DOC Community Corrections Field Supervisor Marla Bell
Citizen Member Jody Huelsman
SPD Regional Attorney Manager Sam Benedict
Town of Brookfield Municipal Judge JoAnn Eiring

District Attorney Sue Opper
Sheriff Eric Severson
Victim Witness Coordinator Jen Dunn
City of Waukesha Mayor Shawn Reilly
UW-Extension Director Jerry Braatz
Monica Paz (proxy for Gina Colletti)

Team Members Absent:

Menomonee Falls Police Chief Anna Ruzinski
DOC Regional Chief Sally Tess
County Board Chair Paul Decker
Clerk of Circuit Court Gina Colletti

HHS Director Antwayne Robertson
County Executive Paul Farrow
District Court Administrator Michael Neimon

Others Present:

County Supervisor Larry Nelson
Jail Administrator Michael Giese
Bob Gibson

WCS Program Director Mary Wittwer
CJCC Coordinator Rebecca Luczaj

Welcome and Introductions

Dorow called the meeting to order at 8:30 a.m. and began with introductions.

Approve Minutes from March 28, 2018

Motion: Huelsman moved, second by Bell, to approve the minutes from March 28, 2018. Motion carried unanimously.

Update on Potential Change to CJCC By-Laws and/or Ordinance Establishing the CJCC for National Crime Information Center (NCIC) Access Approval

Luczaj distributed and reviewed a document titled "NCIC Access – Draft Language."

Luczaj stated that with the new Public Safety Assessment (PSA) tool soon to be implemented, Waukesha County will need to utilize NCIC for criminal history checks on all defendants screened, which requires approval from the FBI. Luczaj had applied, on a DOJ recommendation, for the CJCC to get approved as a justice-administering agency for its own Originating Agency Identification (ORI) number. Waukesha County, among many other EBDM counties, was denied. The DOJ feels that the denial was due to language semantics. The DOJ has put together the sample language in the document, and they recommend the CJCC change the by-laws using the language mentioned, and then reapply. Before the changes are made, the DOJ is sending the sample language to the FBI to determine if that change will prompt an approval. If the by-laws change does not work, the DOJ recommends updating the ordinance establishing the CJCC, which Luczaj feels should be updated regardless since the CJCC has evolved over the years. If the language is approved by the FBI, this item will be added to an upcoming CJCC Executive Committee agenda for a vote. Waukesha County is in a good position because the CJCC is well established and has a designated budget. However, because the pretrial screeners are subcontractors and not County employees, there are additional barriers to overcome to be granted access to NCIC.

Even if Waukesha County gets the ORI approved, network access to Portal 100 is still required. This could be done by piggybacking off the Sheriff's Department or District Attorney's Office existing network access, so that the CJCC would not need to pay the \$600 monthly fee. However, there is a liability issue that would need to be addressed. Severson does not want agencies piggybacking on his Portal 100 access because of the control/liability issue. Severson suggested

speaking to Al Mundt in the Waukesha County IT Department for guidance on this. Bell stated that there are additional security measures that need to be addressed with the information being viewed, etc. Dorow feels there may need to be a subgroup of the Pretrial Workgroup that can provide information and feedback on this issue. Severson expressed concern that it is not just who has access to run the reports, but who in the vicinity can see the reports. The audits by CIB and the FBI are very comprehensive, time consuming, and expensive. Benedict added that this is the reason technical assistance is needed.

Discuss and Consider Applying for Bureau of Justice Assistance (BJA) “FY 2018 Comprehensive Opioid Abuse Site-Based Program” Grant

Luczaj distributed and reviewed a document titled “BJA Diversion Grant Application Overview.” If the County is awarded the grant, Opper and Luczaj plan to implement a three-month planning phase between October 1 and December 31, 2018. A paralegal would be hired for the Diversion Coordinator position so that they can also prepare the diversion contracts and the deferred prosecution agreements (DPAs) for the staff attorneys. The Diversion Coordinator would be located in the DA’s Office, while the Case Manager would be located at the Day Report Center (DRC). The BJA will be making approximately 160 awards across the six categories; last year, only 45 awards were made. The awards will be announced at the end of September 2018.

Motion: Reilly moved, second by Braatz, to apply for the Bureau of Justice Assistance (BJA) “FY 2018 Comprehensive Opioid Abuse Site-Based Program” Grant. Motion carried unanimously.

Update on Application Submitted to the Justice Management Institute (JMI) for Acceptance into the National Network of Criminal Justice Coordinating Councils (NNCJCC)

Luczaj distributed and reviewed a document titled “National Network of Criminal Justice Coordinating Councils (NNCJCC) Membership.” Luczaj was informed yesterday that Waukesha County was not chosen for NNCJCC membership, due to the fact that Milwaukee and Eau Claire Counties are already members. JMI is trying to achieve diverse representation from across the country with its membership. JMI encouraged Luczaj to reapply in the future, as Waukesha County was at the top of the list of applications.

EBDM Workgroup/CJCC Committee Updates

Pretrial

Dorow reported that the Pretrial Workgroup is still preparing for PSA implementation, which has included training staff. The PSA implementation process has been consuming most of the meetings lately, so the workgroup will need to revisit the other change targets at a later time. The workgroup has also replaced Judge-elect Lau with Commissioner Scullen.

Case Processing

Opper stated that the Case Processing Workgroup has been focusing on the Pretrial Conferencing Pilot. The pretrial conferencing outcomes have been promising, with an average 63% clearance rate. Severson inquired if there should be space for the SPD in the courthouse redesign, but Opper responded that since the room is used for only approximately five hours per week, it is not needed. The State Public Defender’s (SPD) Office has added on-site eligibility screening during intake court on Mondays and Tuesdays. The workgroup continues to explore better ways to process OAR/OWL cases; however, this is difficult without funding.

Alternative Interventions

Benedict reported that the workgroup has been refining its data dashboard and ensuring that the data is meaningful. The workgroup continues to monitor the utilization and capacity of the Day Report Center (DRC), as well as arranged for an upcoming presentation to the judges on electronic monitoring capabilities at the DRC, offered by WCS. Benedict hopes that after the June 12 judges’ meeting, usage of electronic monitoring will increase.

Mental Health

Luczaj commented that the workgroup continues to meet quarterly with the county emergency department providers to work on making the emergency detention medical clearance process more efficient. The next quarterly meeting is in July, which is the start of a new rotating meeting location schedule at the various hospitals in the county.

The workgroup will be preparing for the CJCC to apply for a federal Justice and Mental Health Collaborative Grant next year, which would involve hiring consultants to conduct a countywide behavioral health system assessment, which has never been done before. The recommendations from the consultants would then be used to apply for an implementation grant the following year.

Victims' Rights

Dunn reported that the workgroup has spent a lot of time focusing on increasing the collection of restitution for victims, as well as reducing the frequency of restitution hearings, or at the very least, eliminating the need for the victim to be present in court because they have signed a restitution affidavit in advance.

Other EBDM Updates

NIC Technical Assistance

Luczaj reported that NIC got a 55% budget cut from the Bureau of Prisons. The EBDM Initiative, despite being an NIC priority, is receiving only \$200,000 of the \$550,000 initially requested by Lori Eville. Due to the reduction in funding, NIC has to prioritize what specific projects to fund within EBDM. Technical assistance for the state and EBDM counties has to go out for bid, and NIC is anticipating having a decision made by the end of September. The State DOJ has agreed to supplement NIC's technical assistance funding for EBDM, which includes the Pretrial Pilot.

Pretrial Essential Elements Training

Luczaj distributed and reviewed a document titled "Essential Elements of an Effective Pretrial System and Agency." The Pretrial Essential Elements training, which was a condensed version of the Colorado training that was held a couple of years ago, took place on May 21 and 22 in Middleton, and included teams from Waukesha, Rock, and Outagamie Counties. After the training in Middleton, there was another training held in Eau Claire for Eau Claire, Chippewa, Marathon, and La Crosse Counties. Waukesha County attendees included: Luczaj, Imig, Wittwer, DDA Szczupakiewicz, ADA Osborne, Commissioner Scullen, Commissioner Saafir, soon-to-be Commissioner Cronin (who attended on his own time), Judge Bugenhagen, SPD Anna Kees, and Karla Gabor from the Sheriff's Department.

Adjourn

Motion: Reilly moved, second by Benedict, to adjourn the meeting at 9:46 a.m. Motion carried unanimously.