



## Waukesha County Criminal Justice Collaborating Council Alternative Interventions Committee Minutes Monday, June 10, 2019

### **Members Present**

Hon. Maria Lazar	Marla Bell	Duane Paulson
Tom LeBel	Shelby Maruszczak	Amber Rumpf (proxy for Benedict)

### **Members Absent**

Hon. Laura Lau	Sue Opper	Sam Benedict
Joan Sternweis		

### **Others Present**

Rebecca Luczaj	Janelle McClain	Mary Wittwer
Denise Rawski		

Bell called the meeting to order at 12:07 p.m.

### **Approve Minutes from May 14, 2019 Meeting**

Motion: Paulson moved, second by Maruszczak, to approve the minutes of May 14, 2019. Motion carried unanimously.

### **Discuss & Consider Committee Membership Changes**

Motion: Paulson moved, second by Maruszczak, to approve adding Mary Wittwer, WCS Program Director, as a member of the CJCC Alternative Interventions Committee. Motion carried unanimously.

### **Review Progress of Diversion Grant Implementation**

#### ***Review Screening and Enrollment Data***

Maruszczak distributed and reviewed a document titled "Pre-Charge Diversion and Post-Charge Deferred Prosecution Agreement (DPA) Statistics."

Maruszczak is waiting on a few cases to be approved by the Assistant District Attorneys (ADA) and some defendants are waiting to be assessed by WCS who may qualify for a Pre-Charge Diversion.

Lazar arrived at 12:16 p.m.

Rawski stated that the assessment letters do not appear to be effective in prompting defendants to contact WCS. Attendees discussed the possibility of sending text messages to the defendants. Rawski said that many defendants are confused about why they are being considered for the diversion program, as some may not have even been charged yet. Assessment letters are sent to defendants between a few days to three weeks after Maruszczak screens the case, which largely depends on when the Assistant District Attorney approves it. Maruszczak commented that many of these cases can be evaluated at a later time; the assessment letter simply allows the defendant to start the process earlier.

In response to a request from Rumpf, Maruszczak will indicate on future statistical reports how many denials are falling under each particular category.

### ***Update on Project Evaluation***

LeBel announced that he is stepping down from the Diversion Grant project as the Evaluator, effective immediately. LeBel stated that his work thus far should be able to be easily transferred to his replacement, Tina Freiburger, who is the Chair of UW-M's Department of Criminal Justice and Criminology. LeBel will complete the paperwork required to notify UW-M's Internal Review Board (IRB) of the change. Gift cards have been ordered in anticipation of participant interviews being conducted soon, which will serve as incentives for clients to participate.

### ***Discuss Plan for High-Risk/High-Need Clients Ineligible for Drug Treatment Court (DTC)***

Maruszczak stated that approximately five cases are being reassessed for potential DTC eligibility. However, if the defendants live outside the County, we are not able to offer them any programming options.

Rumpf noted that have been a few instances where a defendant has been able to participate in drug court in a different county.

### ***Discuss Client Responses on the RANT and GAIN-SS***

Wittwer stated that participants have started spreading a rumor that can “skew” the results on the GAIN-SS so that they do not qualify for Drug Treatment Court, and are referred for a DPA instead, as a DPA is considered “easier” than Drug Court. In an effort to ensure all clients are accurately assessed, Wittwer stated that the Day Report Center staff would be handling all screening moving forward, which will also increase consistency. Additionally, a statement has been added to the paperwork clients sign off on, which stresses the importance of honesty, so that if someone has been found to be dishonest, they could be removed from program consideration.

### ***Discuss OWI Treatment Court (OWITC) Waitlist and Possible Solutions***

Luczaj commented that the OWITC has had a waitlist now for a few months (there are currently five people on the waitlist). She was going to recommend moving the drug-impaired drivers from OWITC to DTC; however, a presenter at the state treatment court conference referred to this not being a good idea.

Bell recommended inquiring about best practices on this topic at the national level. LeBel added that there are many hybrid courts in existence, so he does not see this as an issue. Luczaj will follow up with the National Association of Drug Court Professionals (NADCP) and the National Center for DWI Courts (NCDC) and report out her findings at the next meeting.

### ***Other Items for Discussion***

Lazar announced that OWITC and DTC are hoping to move to a 5-Phase structure as of July 1. Consistent with the best practices, DTC will become a 14-month minimum program, while OWITC will remain at a 12-month minimum.

Maruszczak would like the sanctions guidelines for the Diversion Program to be distributed to the courts, as she is seeing inconsistencies with revocations.

### ***Discuss Agenda Items for Next Meeting***

- Review Diversion Grant Screening & Enrollment Data, reflecting the number of denials per category
- Follow-Up on Best Practices Regarding Drug-Impaired Drivers

### ***Discuss & Consider Committee Membership Changes***

Motion: Paulson moved, second by Bell, to approve replacing Tom LeBel with Tina Freiburger, UW-M Department of Criminal Justice and Criminology Chair and Professor, as a member of the CJCC Alternative Interventions Committee. Motion carried unanimously.

The committee thanked LeBel for his work with the diversion program and the CJCC Alternative Interventions Committee.

### ***Adjourn***

Motion: Paulson moved, second by Maruszczak, to adjourn the meeting at 12:56 p.m.