



Waukesha County Criminal Justice Collaborating Council Alternative Interventions Committee Minutes Monday, April 8, 2019

Members Present

Sam Benedict

Tom LeBel

Marla Bell

Hon. Laura Lau

Joan Sternweis

Sue Opper

Hon. Maria Lazar

Duane Paulson

Shelby Maruszczak

Others Present

Rebecca Luczaj

Amber Rumpf

Janelle McClain

Mary Wittwer

Benedict called the meeting to order at 12:01 p.m.

Approve Minutes from March 11, 2019 Meeting

Motion: Lazar moved, second by Bell, to approve the minutes of March 11, 2019. Motion carried unanimously.

Update on 3/12-3/13 OWI Court Operational Tune-Up Training

Luczaj reported that five county teams attended the training, and it was a refresher on treatment court best practices. Each team was assigned a facilitator; Waukesha County was assigned a defense attorney from a smaller county in Minnesota. Luczaj appreciated when the teams were able to do breakouts and discuss needs as a team. The Waukesha County attendees reviewed each phase of the 5-phase model that the OWI Treatment Court will soon be transitioning to, in accordance with best practices. A need was identified to include law enforcement on the OWI staffing team.

One of the topics discussed was gender-specific treatment. Gender-specific treatment allows participants who may have been victimized previously or have a sensitive issue to talk about, to do so in a more trauma-informed, same-sex environment. Lazar commented that for Drug Treatment Court (DTC), if participants need to, they are brought into staffing to talk with the team at that time and not have to address the sensitive issue in front of others. Lau had commented in the past that there are not enough women participants at this time to have separate gender tracks. Bell suggested calling the women first; however, that could lead to staffing issues for the Sheriff's Department and sanctions.

While the team was at the training, they developed a series of goals and objectives that the facilitator will follow-up on after a few months.

Update on 3/25 Drug Court Staffing Team Retreat and 3/27 Anniversary Celebration

Lazar stated that the staffing team retreat covered a variety of topics, including moving to a 5-phase model, reviewing the sanctions/incentives matrices, and communicating with the public. There was also a presentation on the psychiatric consultation process from Drs. Seymour and Juneau of HHS.

The celebration was very successful; committee members who attended the event all agreed. There were many legislative representatives, as Lazar had sent the invitation to all state and federal senators and representatives. Lazar asked her court reporter to transcribe the event, and plans to send the transcriptions to those who attended and spoke. She also plans to put the graduation speeches into a "public relations" packet for anyone interested in having more information regarding the program. Luczaj suggested also sending the transcripts to the National Association of Drug Court Professionals (NADCP).

Update on Diversion Grant Implementation

Maruszczak distributed and reviewed a matrix showing whether a pre-charge diversion or Deferred Prosecution Agreement (DPA) would be offered to defendants based upon their risk and needs level.

Thus far, one person has a signed DPA, and one person is scheduled to sign their DPA contract this afternoon. Seven potential participants are waiting to enter into a DPA on their next court date. Maruszczak hopes to have ten, if not more, participants in the DPA program by the first week of May. These cases are primarily DPAs because they were existing cases that applied when the diversion program was implemented.

Lau arrived at 12:32 p.m.

So far, Maruszczak has screened 56 opiate-related cases, with at least half of them being eligible. If the defendant is not eligible, it is likely because of where they live, or something in their criminal history is on the exclusion list (such as current residential burglary, or felony battery). As a whole, the program seems to be off to a good start.

Luczaj, Maruszczak, and LeBel met last week to review the data that is being tracked. LeBel will be meeting with the staff at the Day Report Center in the near future.

The District Attorney's (DA) Office is not waiting for the defense attorney to approach them before they review newly referred cases; however, if there is no sign of opiate use being a factor in the police report, they may not be considered for eligibility. The defense attorney will want to contact the DA's Office if they feel a case should be screened that may have been determined ineligible. There is not a formal appeal process in place at this time.

The RANT only screens as low and high risk. Denise Rawski had previously compared the LS-CMI and RANT, noticing that the "High Risk/Low Need" and "Low risk/High Need" were comparable to a moderate risk level.

Benedict would like to have a data dashboard reviewed monthly at future committee meetings, detailing the number of applicants screened, number eligible/ineligible, where they fall on the matrix, etc. Maruszczak will bring that to the next meeting.

Maruszczak is waiting to hear back from the Assistant DAs for six or seven cases to approve her sending the defendant a letter encouraging them to be assessed for eligibility for the program.

Continue Discussion on Drug Court Sustainability

Overview of Graduate and Current Caseload Statistics/Trends

Wittwer distributed and reviewed a document titled "Program to Date Stats for DTC Graduates" and "Current Caseload." Luczaj commented that DTC participant ethnicity is reflective of the county's population. The graduation rate is slightly higher than the national average, at about 62%.

Sternweis would like to know if data changes between admission and discharge, and is curious about other trends, such as housing.

Benedict would like to see an updated DTC recidivism spreadsheet presented at the next committee meeting.

Luczaj is pursuing potential DTC funding options after the federal grant expires on September 30, 2020. She is currently working on the 2020 CJCC budget. Paulson advised keeping the County Board and the County Executive informed on the situation, should tax levy be needed at some point in the future.

Other Items for Discussion

There were no other items for discussion.

Discuss Agenda Items for Next Meeting

- Review Updated DTC Recidivism Spreadsheet
- Review Updated Data for Diversion Program

Adjourn

Motion: Opper moved, second by Maruszczak, to adjourn the meeting at 1:10 p.m.