



Waukesha County Criminal Justice Collaborating Council Evidence-Based Decision Making Pretrial Workgroup Minutes Monday, October 9, 2017

Team Members Present:

Judge Jennifer Dorow (Chair)
JoAnn Eiring

Mary Wittwer
Sam Benedict

Laura Lau
Abbey Nickolie

Team Members Not Present:

Sue Opper

Craig Kuhary

Frank McElderry

Also Present:

Rebecca Luczaj
Monica Paz
Anna Kees

Janelle McClain
Mimi Carter

Daniela Imig

Dorow called the meeting to order at 3:09 p.m.

Approve Minutes from September 20, 2017 Meetings

Motion: Eiring moved, second by Lau, to approve the minutes from September 20, 2017. Motion passed unanimously.

Update on DOJ Pretrial Pilot Project

Carter stated that we are still trying to schedule the PSA training with approval from the Arnold Foundation, but thinks that we may now be looking at January.

Due to the requirement that the instrument be completed electronically, there is a software program that needs to be either developed or purchased for all of the EBDM sites. There is discussion at the state level to purchase it through their procurement process for all of the EBDM sites. The two databases that the state is currently reviewing are Automon and ePretrial. Luczaj submitted a request to DOJ for financial assistance to purchase the required software. Carter indicated that there would also be a requirement to sign an MOU with the Arnold Foundation in order to use the PSA.

Luczaj updated the group on the look-back data collection project, which will be establishing baseline failure to appear (FTA) and new criminal arrest (NCA) rates. The Office of Court Operations pulled all CT/CM/CF cases from the first six months of 2016 for all EBDM counties. From the 2,541 cases identified for Waukesha County, the DOJ is choosing a sample size between 250 and 350 cases. There is a look-back data collection training on October 18, where it was requested that experts our jail records software (for us, this is Spillman), and in CCAP attend, along with Coordinators. Luczaj and Paz will be attending. The state will be reviewing how the FTA and NCA data should be collected so that it is consistent across all counties. The PSA scoring is based on new arrests, so the DOJ is working on getting access for all counties to NCIC.

In addition, DOJ held a meeting on September 14 with the EBDM Coordinators and Clerks of Court to determine how CCAP is used in the EBDM counties. DOJ is hoping to have more consistent data entry in CCAP in all of the counties, so there will be a follow-up training scheduled. Paz will be mentioning this at the Clerk's Conference later this week.

Imig suggested that we do not implement the updated version of the Virginia risk tool since we will be switching to the PSA very soon. The researcher who developed the tool for Waukesha County indicated she has no concerns with our continued use of the current tool, so the costly changes (related to WCS' database) would be unnecessary.

Continue to Discuss 2018 IDIP Budget Solutions

Imig distributed and reviewed a document titled "Court Appointed vs. Public Defender SCRAM rates."

Dorow and Luczaj will begin developing a presentation to take to the County Board to request more tax levy to support the IDIP program. The state's pretrial protocol, as well as the national standards, recommend not charging pretrial fees to participants.

Continue to Discuss Pretrial Supervision Program Capacity

Carter suggested that we decide if we are only going to supervise high-risk participants, as well as if we are going to reduce the frequency of drug testing. Eiring commented that, based on letters from those who have completed the pretrial programs, the participants are grateful for the accountability that frequent drug testing provides. Carter advised supervising only medium- and high-risk participants and substantially reducing drug testing, versus supervising fewer participants and continuing high levels of drug testing. Carter recommended that Luczaj pose the questions about program fees and drug testing to the Pretrial Justice Institute (PJI) Listserv.

Benedict arrived at 4:01 p.m.

In response to a question by Lau, Imig will look into whether Milwaukee County supervises Waukesha County residents. Imig will create a proposal for a reduced drug testing model for pretrial supervision, and present it at a future meeting.

Review & Discuss Pretrial Pilot Behavior Response Matrix

This item was tabled until a future meeting.

Discuss Agenda Items for Next Meeting

The group will begin drafting our Critical Incident Review Protocol at the next meeting. The state team has recently completed developing theirs, and it should be released soon.

The meeting on October 18 is cancelled. The next meeting is on November 1.

Adjourn

The meeting adjourned at 4:20 p.m.