



Waukesha County Criminal Justice Collaborating Council
Evidence-Based Decision Making Pretrial Workgroup
Monday, March 14, 2016

Team Members Present:

Judge Jennifer Dorow (Co-Chair)	Laura Lau	Sam Benedict
Sara Carpenter (Co-Chair)	Sue Opper	
Also Present: Abbey Nickolie	Rebecca Luczaj	Alison Ries
Team Members Absent:	Craig Kuhary	

Dorow called the meeting to order at 10:05 a.m.

Approve Minutes from February 24, 2016

Motion: Opper moved, Lau second, to approve the minutes of February 24, 2016. Motion carried unanimously.

Overview of NIC Pretrial Executives Training

Dorow reported the NIC Pretrial Executives training was very beneficial and promoted a great deal of motivation and thought regarding EBDM. Opper talked about the proposed legislation on bail reform, stating it has the potential for implementation in Wisconsin. She stated the legislation calls for a risk-based approach to bail. Lau felt the training was thought provoking and that concepts and ideas of others promoted decision making. Benedict felt the training was beneficial and came away from the training with motivating ideas. Luczaj felt the team building practices were beneficial and believes that what the workgroups are doing now are on track with what the training was promoting.

Review Data Collected on Indigent Clients and Failure to Pay

Carpenter reported that 28% of the WCS current IDIP caseload is indigent and that only 5% of the entire IDIP caseload (indigent or not) refuse to pay. WCS staff conducted an analysis on fee reduction for indigent clients and determined Remote Breath fees and SCRAM fees can be reduced. Carpenter stated that WCS verifies if offenders have a public defender. If they have been assigned a public defender, they are eligible for reduced fees. If they do not have a public defender, WCS will look at offenders' financial situations individually in deciding eligibility for reduced fees. Lau stated in the courts, if defendants qualify for medical assistance, they qualify for reduced fees. Benedict added that if a defendant receives SSI, they automatically qualify for a public defender. He stated public defenders are assigned to defendants as soon as they qualify. There is no waiting period.

Continue to Discuss Plan for Intoxicated Driver Intervention Program (IDIP)

The consensus of the workgroup is that a risk-based decision is better than a non-risk based decision. Benedict stated the 4 steps that are part of the decision tree are:

- 1) Are risk-based decisions the better way to practice?
- 2) What risk tool is the most valuable?
- 3) What is the earliest stage where risk can be assessed?
- 4) How will the program deal with the low risk category of defendants?

The group discussed in detail the current risk assessment tool and the “tweaked” or revised assessment tool. Is the information provided necessary in accurately assessing risk? Are there scoring rules? What is the predictive strength of the 3 added questions on the revised form? Is current offense being counted twice? How will scoring be adjusted accurately on the revised tool? Should both tools be used and scored?

Discuss Plan for Reviewing NIC’s CJCC Pretrial Programs Evaluation Report

This item was not discussed.

Discuss Next Steps and Set Date for Next Meeting

- Determine which risk assessment tool to use
- Determine when the earliest stage to conduct the risk assessment is
- Determine dosage of supervision for all risk categories

Next meeting: Tuesday, April 5 @ 4:00 PM

The meeting adjourned at 11:27 a.m.