



Waukesha County
Criminal Justice Collaborating Council
Evidence-Based Decision Making Policy Team
Tuesday, September 29, 2015

Team Members Present:

Hon. Jennifer Dorow, Presiding Judge & Policy Team Chair	CJCC Coordinator Rebecca Luczaj
County Board Chair Paul Decker	District Attorney Sue Opper
District Court Administrator Michael Neimon	HHS Director Antwayne Robertson
DOC Community Corrections Field Supervisor Marla Bell	Clerk of Circuit Court Kathy Madden
Victim Witness Coordinator Jen Dunn	Sheriff Eric Severson
WCS Administrator Sara Carpenter	Captain Dan Baumann
Menomonee Falls Police Chief Anna Ruzinski	DOC Regional Chief Sally Tess
Town of Brookfield Municipal Judge JoAnn Eiring	County Executive Paul Farrow

Team Members Absent:

State Public Defender Regional Attorney Manager Sam Benedict

Others Present:

Eau Claire County Sheriff's Captain Dan Bresina	NIC Consultant Mimi Carter
Programs & Projects Analyst Windy Jicha	District Attorney Gary King
Criminal Justice Supervisor/CJCC Coordinator Tiana Glenna	Public Defender Maura McMahon
Senior Correctional Facility Manager Meg Schnabl	Jail Administrator Mike Giese
Deputy Inspector Torin Misko	

Meeting Goals

- Complete system mapping
- Learn from Eau Claire's experience
- Review team charter
- Discuss next steps

Approve Minutes of August 4, 2015

Motion: Ruzinski moved, Baumann second, to approve the August 4, 2015 minutes. Motion carried unanimously.

Timeline

September

- Finish mapping
- Team members review final map and narrative and add data to the map

October

- Final polish on map, narrative and data
- Discuss victim experience
- Finalize list of low and high "hanging fruit" opportunities

November

- Select low "hanging fruit" to accomplish
- Select high "hanging fruit" to explore more thoroughly
- Develop ad hoc work groups (groups meet between November – January and beyond)

Feedback on System Map Draft

Carter suggested marrying the mapping with a narrative to answer the following questions:

- How do the pieces of the system work currently?
- What is the desired outcome at each decision point?
- What does research suggest?
- What data is available?
- What opportunities are available for improvement?
- Who are the decision makers?

This process would help correlate the large amount of data gathered to date and become a major work product. The team thoroughly debated the use and meaning of the word “should.”

Continue System Mapping

A handout of the current mapping product was distributed. Team members were asked to review the map, make minor changes on the copy and return them to Luczaj. The team discussed bigger mapping issues that need to be enhanced/eliminated/alterd while Neimon updated the map simultaneously. Members of the team will meet between meetings to continue reviewing and updating the map.

Mapping Needs

- Mental health
- Emergency detention/hospitalization before lock up (possibly included in “B” and “G” decision points)
- Pretrial monitoring
- Post sentencing
- Misdemeanor processes
- Specialty courts
- Municipal courts
- Jail

Pretrial Monitoring

Carter asked what happens to those who violate pretrial supervision? Carpenter said WCS sends emails to judges, public defenders, lawyers, etc. notifying them of violations. McMahon said the Public Defenders’ Office does not always get these emails before scheduled appearances.

Carter said there is a lot of research indicating what factors best affect defendants’ behaviors. Consistent is more effective than inconsistent and fairness matters. Should all violations go before the courts? What do you want to happen for various violations? Carpenter said WCS has some ability to be flexible and work with violating clients.

Dorow asked should she assign a judge violation dates twice a week? Should the county have a matrix of best practices? Should some violations not come before the court? There are judges that do not want to bring cases back in and would prefer to streamline the process and have due process. This is an area that could be improved. Perhaps WCS could send faxes to the District Attorney’s (DA) or Public Defenders’ Offices with violations. Problems with notifications should be rectified. A lot of judges issue capiases but that takes time. Carter said it is an expensive and complex process. We could get to the same ends more quickly, with a more powerful response on defendants’ parts and save the court money.

McMahon said some clients will not go into WCS if they think there is a noncompliance warrant against them. Carpenter said WCS works with clients. Eiring said WCS provides the court a summary of what happens with each case. Some things are included in the summary but WCS does not report everything immediately to the courts. Dorow asked does the DA's Office get notified of the decision to issue a warrant? Opper said the DA's office could check CCAP. McMahon said Judge Dreyfus used to contact the Public Defenders' Office when warrants were issued. Dorow said this is "high-hanging but do-able fruit" and Opper agreed.

Carter asked should the "Not Released" options (IDIP, pretrial screening, no supervision) be separated into separate boxes? Should boxes be added for: eligible for release but can't post, eligible for release, commitments, serving a sentence, eligible for release with a detainer, INS, ICE hold or TSS? Dorow said data could be extractable. Carter said the map should include people released compliant, people released noncompliant and people noncompliant who need to go back for a review hearing. Dorow said they always have the right to bail. McMahon said bail could be modified and raised but not taken away.

Carter asked would someone in pretrial supervision with six positive tests go before the judge? Dorow said this behavior would increase bail. Carter said they will not be revoked but detained. Dorow said they may be held in jail for the safety of the community but it is "few and far between." The judges have set cash bonds and held them in custody for not complying but the jail staff does not like that solution. Carter asked can judges change supervision options? Dorow said they can. Carter asked does the county have data available on violations that result in custody? Carpenter said these events are tracked and could be extracted. There are times when pretrial program clients are put on hold while in treatment or residential care. These clients are still monitored, but the cases are put on hold.

Municipal Court

Ruzinski said it will be hard to map municipal court since it is different in each jurisdiction. Carter asked how many municipal courts are there? Eiring said there are 17 municipal courts in Waukesha County. Dorow said several courts are joint courts such as Lake Country and North Prairie. The circuit court handles sheriff and state patrol issues.

Carter said it took Milwaukee County seven hours to map municipal courts. What kinds of cases go to municipal courts? Eiring, Ruzinski, Dorow, Baumann and McMahon provided answers: ordinance violations, building and zoning violations, first OWIs, juvenile, traffic, disorderly conduct, possession of marijuana, possession of drug paraphernalia, possession of fireworks, vicious animals, owning too many animals, nuisance, quality of life issues, etc. Carter said Milwaukee and Rock Counties are very different. Rock County municipal cases include such things are failure to pay library fines and failure to bring in trash cans. Baumann said quality of life issues need to be on the books for those who do not respect their neighbors. Police officers do not usually actively seek out quality of life issues.

Dorow said is there a way to identify the following in mapping: law enforcement decision points, when the DA's office decides to prosecute versus negotiate cases, failure to pay and how they are addressed by municipal courts? The chief judge in the district has say in what goes to court. It could be discussed by the state judges group.

Carter asked how many of these cases are relatively minor and how many of these people end up in jail because of failure to pay? It is an enormous problem in Milwaukee County while Rock County experiences the opposite. Carter asked how many jail beds are filled with municipal holds? Severson said 18 jail beds per day. Baumann asked are there ways to identify how many "failure to pays" are held in the jail? Severson said his understanding is that all municipal holds are "failure to pay." The Sheriff's Department has sent letters to

municipal judges asking them to seek alternatives to time served on “failure to pay.” Carter asked how much do municipalities pay per jail bed day? Severson said that is a complicated question. The State Supreme Court defines that the sheriff can only charge municipalities for consumable costs, which is \$15 per day. Some municipalities do not mind paying the \$15 per day charge while others complain. Waukesha County is one of the lowest priced jails. There is tremendous pressure to get municipal holds out of the jail but the municipal judges have a right to send them there. Municipal holds are most likely to be released if they are to incur high medical costs because the municipalities are responsible for those costs. There is a small number of people that go through the entire system and still refuse to pay but eventually they get caught. McMahon said some youth with underage drinking tickets are afraid to tell their parents about the tickets or ask them for money and end up in jail missing school. Ruzinski said she thought the municipal jail charge was \$37 per day.

Carter said that Milwaukee and Rock Counties had these same discussions. People in Rock County are afraid to go to court because they think they’ll go to jail. Judges want to work something out to keep people out of jail. The counties talked about a need to better communicate this with the public.

Madden said because of EBDM, we know how detrimental it is to expose someone to jail. New data and evidence may influence change. The circuit court wants to keep costs down so circuit judges are not issuing warrants for failure to pay. They could but it is a choice not to. Dorow said we have to recognize efficiencies and collections revenue. Waukesha County is very good at collections. It strikes her that perhaps municipalities are not pursuing collections. Ruzinski said municipalities are pursuing collections through several avenues. Dorow asked is there a way to change statewide laws to provide an incentive to be a collection agency? There are tools out there. Madden said the state department of revenue system is open to county clerk of courts. Maybe it could be open to municipalities also. There are resources available through the department of revenue. Other states have centralized the function of circuit courts. Carter said this subject has been coming up with all of her teams and then suggested the team review it. Carter suggested possibly copying Milwaukee or Rock Counties’ mapping of this part of the system or the relevant portions could be documented. Eiring said she is familiar with a lot of courts but there is much diversity. Carter asked do all municipal judges have to be lawyers? Madden and Eiring said it is mixed. Madden said there have been discussions about changing legislation to make it more consistent.

Carter said Waukesha County could share Rock and Milwaukee County maps and paste portions into their map. In November, the team will decide on what criteria to go after to get the “best bang for the buck.” Madden said this should be a low priority on the list but some changes could be made.

Dorow said one of the issues the county is facing is IDIP funding discontinuation, supervision dosage and the matrix. The technical advisor recommended serving as many people as are currently served but reducing the “number of touches.” What does research say? Are there tools that could be used? Pretrial is different than post trial. Pretrial programs are voluntary. The goal is to effectively screen out people who do not need to be “touched.” This is more “high hanging fruit.” How can the program be effective without damaging people? A small percentage of people go through pretrial screening. We are missing out on custody screening. What does that look like? Carpenter said the pretrial screening tool could be improved. Seventy-five to 80% of those supervised in pretrial programs are 25-years-old or younger, under/unemployed, opiate addicted, etc. Many people won’t make it if the “touch” is lowered. More clients died this year-to-date compared to 2014. These are high risk, high need people. Reducing what is done now will be detrimental. Not everyone who is charged with an OWI needs to be monitored. Bell asked what tools will be used to do pretrial screening? There is a risk tool for every population. Dorow said this group should not lose sight of the purpose of bail or the opiate abuse crisis. Supervision is meant to keep the community safe.

Carter rhetorically asked, do we have research to suggest the risk principle of post sentencing works pretrial? Yes. There is enough research to show that mixing low risk, post sentence clients yields the same results in pretrial programs. People are not different, they are just in different parts of the judicial system. The need principles do not change. The county's job pretrial is to ensure compliance, appearances in court and to keep the community safe. The problem is that we know there are people, such as the mentally ill, who have high needs but are not high risk. Mental health issues need to be dealt with.

Carter asked do we have tools to assess offenders? Yes. How sophisticated are these tools? Do they differentiate between offenders pretrial? No, this is done post sentencing. Do we have tools to differentiate how we supervise people who are low and high risk? Yes, they are developed but not well researched and being used around the country. Carter said she does not know what that means for Waukesha County's data but the people who are being supervised will get worse. There is no good answer. People entering the criminal justice system have issues. If we supervise people closely enough, they will be caught doing wrong. Is that the place we want to be?

Carter relayed the story of a high school aged male picked up for possession of marijuana. The male successfully completed a diversion program but during that time he did not have to "drop urine." If he had been tested, he would have been "dirty" and been pulled deeper into the system. Data indicates that if you leave low risk people alone, 13% will reoffend but if you supervise and monitor low risk people closely, 26-30% will reoffend. The more closely we supervise, the more reoffenders we catch. Carpenter said WCS has decided that people referred for marijuana cases are not appropriate for supervision.

Dorow said in IDIP, treatment is an ancillary benefit. The CJCC has changed the culture and the community is safer. The DA can offer to allow people to go through IDIP or treatment but the courts cannot force them. There is buy-in as a whole that the community is safer. Why can't the CJCC change the culture pretrial? Maybe people will get better even if it is not a goal of pretrial programs. Robertson said the sooner we can reach people, the better. People in crisis are more likely to comply and seek services and are our best customers. Treatment should be included in the process.

Carpenter said pretrial programs do more than supervising and drug testing. She is on an evidence-based practices committee at WCS and she is impassioned. WCS programs are practice-based. The organization has been refining and changing its programs for years. OWI offenders will openly admit things to WCS case workers such as driving drunk thousands of times and not getting caught. It is tough to look at all factors.

Carter asked should we throw this into our fruit basket? Does anyone have any reactions?

Opper said the group can have a lot of conversations but we need to fix the opiate problem in Waukesha County. It is getting worse. Severson said it will continue to get worse if we keep looking at it as a criminal justice system issue instead of a public health issue. Bell said we cannot continue to do the same thing.

Carter asked what should be worked on next- the opiate problem or pretrial? Dorow said the OWI population is high. Robertson said he is more than happy to work with WCS to evaluate the assessment tool. Carpenter said she and Luczaj are working with a group to evaluate assessment tools. Robertson said Slesar is on a team evaluating the juvenile system.

Eau Claire EBDM Policy Team Presentation

Criminal Justice Supervisor/CJCC Coordinator Tiana Glenna

District Attorney Gary King

Eau Claire County Sheriff's Office Captain Dan Bresina

The team from Eau Claire talked about their experiences and lessons learned going through the EBDM process including successes, failure, processes, identified change targets, risk tools, definition of diversion and diversion programs, etc. Glenna said Eau Claire's CJCC is pursuing an ordinance to make the EBDM policy team a permanent committee of the CJCC. The team is working through serious issues and has had good conversations. This process has done a lot for the Eau Claire system including making changes. It is essential for all groups in the system to work together and have open conversations. The team has had successes and failures. It is important to look at the concepts behind the system.

Carpenter asked who is screened with the PROXY and COMPAS? King said the PROXY is used by everyone in law enforcement and helps determine who is appropriate for diversion. COMPAS is used predisposition. The PROXY is an indicator of who is assessed with COMPAS. Glenna said a data analyst, accessible to everyone, was hired to help with statistical issues. We want to spend resources on the right people for the best results.

Carpenter asked what happens if someone cannot pay for a diversion program? Glenna said the clients they see are low risk, first time offenders that can afford to pay. The program also makes sure that restitution is paid 100% of the time with diversion cases where a victim is involved.

Ruzinski asked who keeps track of diversion program enrollees? King said the program coordinator keeps track of the program and the DAs office keeps record of who goes through diversion programs. Ruzinski said future arrests will not show these charges on records. King said it does not matter because these people are not reoffending. Glenna said it is tracked in PROTECT which is the repository for PROXY scores. King said people get one shot in the diversion program. Bresina said diversion program coordinators in surrounding counties are working together to share information and refine the programs.

Baumann asked how many municipalities are involved? King said ten agencies. Baumann asked are municipalities using the same records systems? King said they are not using the same system but everyone uses the PROXY. Glenna said all PROXY results are in PROTECT and can be checked across the county and municipalities.

Madden asked is this true diversion with consequences for failure? Glenna said people who fail are charged. Madden asked are there multiple programs? Glenna said there is one program.

Carpenter asked how does Eau Claire County define recidivism? Glenna said the group worked on defining it together.

Dorow asked where is data pulled from? Glenna said from all parts of the system. Staff have rights to access records management across systems. HHS is the only area with limited access.

Dorow asked what is the data analyst's salary and background? Glenna said the analyst is paid \$33 per hour and has a Masters degree in statistics. Bresina said the group agrees on what data they want and how to get it.

Decker asked was there skepticism at the beginning and how has it changed? Bresina said the team had good conversations. He is excited to see what is happening around the state. He and Glenna sit on the state EBDM

team and they're guiding user groups to share information and have good conversations at conferences. Decker asked what works and what does not work? Bresina said we're not doing anything differently but rather applying EBDM principles to our work. Decker asked are you and other jurisdictions finding long-term budget relief? Bresina said money is in your budget to handle your changes but it needs to be used smarter. He hopes that the changes will reduce the prison population and produce huge savings across the state.

Dorow asked how do you deal with skeptics? King said he tells skeptics to propose better alternatives. You want to be able to show why you're doing what you're doing. You either trust the research or you don't. Do not be afraid of success and improvement. How we practice now is different from five to ten years ago. Eau Claire County has had positive results. He is pleased with EBDM and program changes instead of continuing to do things the way they've always been done. It would be nice to treat people before their crimes escalate. This is a dynamic process. We are stewards of the system and it is better to leave it better than we found it. Glenna rhetorically asked if someone in the system is not sharing data, why not? What are they hiding? What is happening with the system? What is being tracked? Is your information pure? You need to evaluate and reevaluate programs to make sure they are working. Bresina recommended being open and honest and looking at the EBDM principles. There is nothing to hide and lots to gain. Build everything off of the four principles of the framework.

Continue System Mapping

Carter said people are booked into the jail and undergo a medical assessment. What is it like for people coming into the jail? What are assessments like?

Schnabl said holds in the jail for municipalities needs to be added to the mapping.

Carter said regarding the booking process and clarification, we are interested in key decision points, assessments, housing classifications and programming determinations. Schnabl said each is layered. During booking with the officer present, jail staff does an immediate but brief medical and suicide assessment to make sure people are acceptable for the jail. There is a visual assessment and people are asked if they are sick or injured. The arresting officer completes a worksheet on their health, the incident, Taser use, injuries, etc. If the person appears to be suicidal, jail staff asks the arresting officer if it is ok for a chapter 51. Next, jail staff does a more complete medical and suicide risk assessment. We bring them in safely, pat them down, and get them "dressed in" immediately if the booking area is not too busy. Some people come in drunk or high and need time to settle down.

Carter asked is there gender separation? Schnabl said when people are well behaved, we can have them co-mingle if they are not in cells or circle of cells. The initial medical and suicide assessment is done when they're inside then classification starts. Classification looks at past incarcerations, criminal history on CCAP and adjudication, past institutional experience, medical and suicide history, behavioral alerts, etc. The supervisor makes the initial assessment for housing. The next morning, all new people are reviewed. Every four hours medical staff makes assessments. During the first ten days, staff interviews them and asks about gang affiliation, religion and past incarcerations and determines programming and long-term housing. Depending on initial classification, people are reclassified every so often. Two classifications officers are on duty seven days per week.

Carter asked what information is available when you're doing the initial classification? Is there information you would like to have that you do not have? Schnabl said other jails have shared databases with other institutions and includes prison history. Jail staff used to be able read criminal complaints but no longer can and have to

ask court staff to get criminal complaints. A battery charge could be a domestic as opposed to a sober person beating someone up. The jail staff tries not to drain the court staff's time. Madden said a restricted site used to be available for all partners to access but it was shut down. Schnabl says she loves the information from HHS but it is slow and awkward. They've made some strides but the data could be better. It is a data issue, not a relationship issue.

Carter asked do you know when someone is on probation when they come into the jail? Schnabl said P&P usually knows and puts holds on these cases which includes an explanation for probation violations. Carter asked does the jail have access to P&P records? Bell said the jail staff will know if there is a problem. Schnabl said P&P lets jail staff know if someone has assaulted staff in an institution or if they are sex offenders.

Carter asked what factors are used to determine housing placement? What type of beds does the jail have? Schnabl said there are several types of beds. There are 40 beds for near term/short term placements. Twenty-seven special needs beds for medical and substance abuse issues, the mentally ill, suicide risks, brain injuries, ADD, brittle diabetics, kidney disease, etc. More of these types of beds are needed. People are moved out of special needs beds as they become more stable. Some people never improve and remain in this area.

Severson said Giese sent him an article by Dr. Natalie Ortiz about the nationwide trend of county jail inmates having medical conditions. Dorow asked Severson to send the article to Luczaj for group distribution.

Robertson said we've talked to legislators about streamlining chapter 34 (HIPAA) which does not allow HHS to share information. Perhaps the state EBDM team could work on this to make it easier to work with the same clients. Decker said we need to know this kind of information so Waukesha County's lobbyist can work on it. McMahon said people in jail do not realize that all justice system partners do not have information or have a shared database. They assume everyone has the same information.

Schnabl said another layer is the Prison Rape Elimination Act. Giese said this 2003 law mandates an extreme amount of regulatory rules and policies to protect people who are gay and transgender. This ridiculous federal law implemented expensive rules for things we are already doing. The law makes sense but it "ties jail staffs' hands." Schnabl said the law requires us to segregate people who should not be segregated. We segregate anyway but the law adds an extra layer of rules. Severson said this extra layer of rules does not take into account the outcomes.

Carter asked what kind of housing is available in the jail? Schnabl said there is a restricted pod for the violent, dangerous, and volatile inmates or those who have certain criminal histories. These people can be locked up 23 hours per day. There are 48 beds in this pod with bed and cell restraint available. The goal is to move people out of this area. Pod 3 has 60 beds. Pods 4 and 5 have 100 medically restricted beds. There are 192 directly supervised beds. Last year 12 beds were added to the female area.

Carter asked what is your eligibility for jail programming? Schnabl said classifications are not linear, they are in constant flux when something bad happens, more charges are filed, or something changes with the case. Giese said the jail has developed its own system. Dorow asked do you use a risk tool? Schnabl said there is an offense scale of risk with points. Dorow asked so no assessment tool is used? Schnabl said there is an assessment tool for housing for safety of the facility but it does not equate to community risk. Carter said the jail is taking into account information that helps them determine how to best manage the inmates. Giese said past and current behaviors carry a heavier weight than charges. Carter said some jails use risk and need assessments to determine bed option.

Carter asked how do we want to separate high and low need inmates in the jail and programming? Schnabl said there are programs for appropriate inmates. The programs are a privilege. CJCC sponsors WCTC's ABE program which is approved by the state for GED alternative testing. GED testing can be done Monday thru Friday in the mornings and afternoons. Waukesha Public Schools provide schooling for high school students up to age 21. Church groups come in on Sundays for different services and bible studies.

Robertson asked what about the Shirley Program? Schnabl said there is no Shirley Program. The jail has a part-time transition person who is a medical contractor and paid for by the CJCC. This person is a link between doctors and prescriptions and deals with critical issues.

Carter asked is there a broader jail re-entry program? Robertson said HHS gets referrals for discharge to help people transition back into the community.

Carter asked how are privileges earned? Schnabl they are based on classification and availability. County prisoners are served first. Federal prisoners can attend school programs if there is room.

McMahon asked how is severity of offense organized? Schnabl said there is a severity of offense scale. Eighteen to 21-year-olds can be a handful especially if they are addicted to opiates. These people rarely act out in jail. People with domestic violence charges usually behave appropriately. Federal inmates are usually institutionalized and well behaved. Female inmates are a nightmare. Giese said 20% of the jail population are women. Luczaj asked is that percentage increasing? Schnabl said the number is increasing along with the severity of the crimes and judges are being harsher with women. Women are difficult to manage. Schnabl said when we designed the jail, we looked at every segment of our population. Past administrators said the jail had to be designed for federal inmates to be phased out. Federal inmates are housed in the area originally designated for females because they were not phased out. Special needs inmates have skyrocketed. There may be capacity in upper pods but restricted areas are "stacked like corded wood." A bathroom was installed in the rec room so it could be used to house inmates.

Regarding problems with female inmates, Ruzinski asked is there any research showing that some of them were victims that were not treated right in the system? Schnabl said yes. We frequently see men "hounding" their women who are in jail. McMahon said some of her clients have said the biggest break they've ever gotten was when they were in jail. Robertson said with the increase in the female jail population, where would HHS fit in with the children of mothers in jail? Baumann said the system needs to do whatever it can to make arrangements so kids can stay with family. Carter said this needs to be mapped. Carter asked is there gender specific programming? Schnabl said the jail had a grant for the Women's Center to provide female specific programming and a fathering class. The mental health staff provide programming on how to get along in jail socialization.

Dorow said she toured the Huber facility. Is the decline in the population due to alternatives to incarcerations? Carter asked what information would the judiciary like to help them make better decisions? Schnabl said the jail does not share information with the courts unless there is a problem. Dorow said judges need to know if someone is a good candidate for Huber. Schnabl said a packet of information is sent to the DAs office when problem inmates are up for hearings. We do not routinely tell the judiciary anything unless the person is a problem in the jail. Probation asks what people were like in jail and the jail always provides answers. Giese said the staff in the DAs office has had 100% turnover. He does not know if the information provided by the jail is being used. Schnabl said jail staff does not know when people will be sentenced. We may have something to say if we know when people are being sentenced.

Dorow said the judiciary needs to make informed decisions. People going for sentencing may have had good behavior but a negative institutional history. Schnabl said some judges leave it to the jail staff to decide the future. Severson said if so, that would keep us from sending letters or attending court to present information. The expertise of the classification staff could be used in court. Tess asked would the jail send positive reports? Schnabl said only if asked for. Giese said very few Huber inmates find employment in 30 days and most spend the entire time scamming the system. Schnabl said more than 60% of Huber inmates scam the system. Dorow said sometimes judges lack process information. Giese said we try to meet with judges in criminal traffic. It is hard to remember all of the lessons for judges. Inmates are obligated to get standard medical care. The jail doctors do an assessment which could be different from what judges need. Dorow said this is an opportunity for this group to foster change so jail staff better educate judges in order to make better decisions. It was eye opening to go through Huber and see the deficiencies. If she was a lawyer, she would think twice before recommending Huber. Do we want to increase the relationship with the DRC? How do we best use our resources? Maybe more funding should go to alternatives to incarceration? How do we better identify candidates for Huber? What services do we provide at Huber? Giese said there are examples of failed programs. Former CJCC chair Mac Davis did a Huber study eight years ago that found Huber would always be needed. The Northview facility was originally supposed to be temporary.

Dorow asked Giese if has sat down and discussed the challenges of sanctions? Giese said he talked about it. Dorow asked have you talked to the DTC team? Giese said he has not talked to all of the members but has spoken to Judge Domina about several complaints about DTC. DTC spends money on treatment on the front end but not enough money is spent on the back end for jail staff. Sanctions require a tremendous amount of work to bring someone into the jail for a few days. Schnabl said all of them have incredible medical needs and need medical assessments.

Decker said there needs to be a systemic approach. We're all part of one system with one system funding, and in front of the county board as one system. If we do not take a systems approach, efficiencies are lost. There has to be system capability and it has to have a systemic look with data and communications. Things need to be handed off better. Everyone is suffering and no one is collaborating.

Carpenter said options need to be discussed. How effectively is the jail using sanctions? There is an opportunity to discuss alternatives to sanctions. Dorow said there is an opportunity for discussion and collaboration so everyone can understand. Dorow understands there is a budget but sometimes system costs cannot be avoided. We've dropped the ball. There is no one on the DTC staffing team from the jail. If everyone was "on the same page," some alternatives could be more effective with sanctions and better understanding.

Severson said he goes out of his way to make information available. He wanted to have a jail person available. He wants to educate attorneys on medical alternatives. Attorneys do not listen to us talk about medical alternatives. At the end of the day, one license trumps all – the medical provider in the jail. McMahon said coordination would be helpful from a doctor who knows the person. There are people from the mental health center who cannot continue on the same prescriptions in the jail. Schnabl said that is not true. Giese said if you ask six doctors for their opinions, four will not agree. McMahon said people released from jail have to fight between providers. This has to be solved. Severson said he will hold a meeting any time with attorneys to talk about the jail. Once in a while there are barriers that cannot be overcome. He is happy to have jail staff involved in any aspect of this as long as it is productive. Robertson said the HHS clinical director could be involved.

Carter said more information is needed on the following subjects/issues:

- A list of information of what would be helpful to have during booking, intakes and classifications
- Information sharing and chapter 34 (for the state EBDM team)
- Women in jail
- Huber
- Sanctions (using the jail for short term treatment court sanction options)
- Treatment court use of jail resources (Schnabl will send Dorow a detailed letter of DTC-jail issues)
- Jail assessment tool
- Post sentencing
- P&P
- Prison
- Violations
- Specialty courts
- All post convictions
- DRC

Madden suggested getting together in smaller groups to map these issues. Carter said she could attend smaller group meetings by webinar. How should this get this done and who should be involved? Dorow said in-custody piece, referrals to DA and processes in the DAs office need to be mapped. Dorow, Opper, Benedict and Neimon will work on this.

Carter asked who should be involved with mapping law enforcement contacts with people with serious mental health issues? Ruzinski, Severson, HHS crisis staff and Robertson will work on this. McMahon, Laurie Kohler and the HHS intervention team will work on early mental health issues. Dorow, Bell, Dunn, Schnabl and Opper will work on sentencing and sentencing options. Bell said P&P would be standard throughout the state. Carter said she could provide samples and Bell could make changes. Dorow said challenges and barriers also need to be identified.

Madden said post sentencing should be the same throughout the state. Carter said it is very different. Dorow said treatment courts make a difference. Carter said she will provide other counties post sentencing mapping for the group to review. Madden said specialty courts, treatment courts are part of sentencing options and take on lives of their own and should be mapped separately. The DTC subcommittee will work on the mapping.

Carter said case processing for out of custody and mental health issues need to be mapped. Does the group want her involved? Dorow asked Carter to share what other counties have mapped for a group comprised of representatives from P&P, DA's office, law enforcement, victim witness, jail, etc.

Carter said we need to review the timeline and loose ends. The NIC technical assistance person will be able to provide information. Luczaj said the NIC technical assistance staff person gave a preliminary report on pretrial programs with lots of recommendations and findings to the CJCC. We were shocked and taken aback to learn that we have been over supervising people pretrial. We should be seeing them less often and asking for fewer drug tests. Luczaj asked Carter to address the research behind this finding. Carter said she has not seen the report yet. Dorow said the county was notified about IDIP state funding cuts, applied for an NIC technical grant, had a site visit, cost benefit analyses were performed, programs were reviewed, etc. and a draft report should be ready in a couple of weeks. The pretrial over-supervision issue was not necessarily a finding but seemed more like a recommendation. The state did fund IDIP for one more year so there is time to plan. When we get to decision points, we need to flush out where to go. Carter said she doesn't know what the

report looks like. She does not know if the pretrial clients could be supervised with fewer contacts. Madden asked are these pretrial candidates high risk? Carpenter said some of the information presented by the NIC technical assistance staff is inaccurate. We are having a conference call with them to clear it up. Carter said she will review the draft report and comment.

Carpenter said she would be happy to help the sentencing options group. There are other kinds of electronic monitoring other than the sheriff's department. Severson said he would also like to help the sentencing options group because of policy implications and bring someone else with him too.

Carter said support staff should be brought into the process.

Dunn offered to work with Neimon on mapping victim witness.

Review Team Charter Draft, Purpose of a Charter and Plan for further development of charter

These items were not discussed.

The meeting adjourned at 2:44 p.m.