



Waukesha County
Criminal Justice Collaborating Council
Evidence-Based Decision Making Policy Team
Tuesday, November 17, 2015

Team Members Present:

Hon. Jennifer Dorow, Presiding Judge & Policy Team Chair
County Board Chair Paul Decker
State Public Defender Regional Attorney Manager Sam Benedict
DOC Community Corrections Field Supervisor Marla Bell
Victim Witness Coordinator Jen Dunn
Sheriff Eric Severson
Town of Brookfield Municipal Judge JoAnn Eiring
County Executive Paul Farrow

CJCC Coordinator Rebecca Luczaj
District Attorney Sue Opper
HHS Director Antwayne Robertson
Clerk of Circuit Court Kathy Madden
District Court Administrator Michael Neimon
Captain Dan Baumann
DOC Regional Chief Sally Tess

Team Members Absent:

Menomonee Falls Police Chief Anna Ruzinski

WCS Administrator Sara Carpenter

Others Present:

Programs & Projects Analyst Windy Jicha
State Special Projects Coordinator Tommy Gubbin

NIC Consultant Mimi Carter

Welcome

Dorow welcomed the group and thanked everyone for their continued involvement.

Approve Minutes

Motion: Farrow moved, Decker second, to approve the minutes of September 29 and October 20, 2015.
Motion carried unanimously.

Review Goals and Agenda for the Meeting

- Finalize decision point templates/system mapping
- Identify change targets
- Form ad hoc workgroups
- Discuss next steps

Map Remaining Decision Points

- Local Institutional Releases/Parole Releases
- Local Reentry Planning
- Community (Treatment) Interventions
- Violation Responses

Probation and Parole (P&P) Interventions Map

Neimon, Luczaj and Bell worked on the probation and parole interventions map. Bell reviewed the map on page 20 of the handout titled *Waukesha County Evidence-Based Decision Making System Map Templates*.

The following questions were asked:

Is there a cost to P&P clients for services?

There are supervision fees based on income along with court obligations, restitution, etc. P&P has programs that will cover the cost of services for those who do not have private insurance.

Does P&P accommodate clients' schedules so they can continue to be employed?

P&P agents have flexible schedules and will work around clients' work schedules.

What is an average P&P agent's case load size?

Caseload size varies depending on several things such as staff vacancies, type of offender, and risk levels, but management tries to divide cases as evenly as possible. A typical agent has 225 or more cases; an ideal caseload size would be about 180 cases. There are different units and tracks within the P&P system based on clients' needs.

Is caseload planning done?

P&P agents do in-depth case planning. After the intake is completed and the case is assigned to an agent, clients go through a COMPAS assessment. (Sex offenders complete the RAZOR assessment.) Assessment results help agents identify substance abuse and mental health issues, risk and needs, dosage for meetings, etc. Those revealed to be low risk would need less intervention than those with medium and higher risk levels. More time should be invested in medium to high risk offenders than low risk. Agents assign points to caseloads depending on test results. The points are also used to help assign caseloads.

Do low, medium and high risk clients comingle?

Clients of all three risk levels interact in public areas, treatment services, AODA groups, etc.

State Team Opportunity

- The group discussed the dangers of mixing low, medium and high risk offenders in P&P, especially sex offenders, in light of limited resources.

Do P&P agents rely on judges orders for victims' wishes?

At a minimum, victims are sent a form letter notifying them of the case and providing agent contact information. Agents frequently contact victims for input.

Local and State Team Opportunity

Investigate processes that would allow immediate notice of judgements of conviction to P&P. (CCAP may have the notification capability. Building an interface or hub between CCAP and DOC may not be possible.) The current process may take upwards of one to two weeks, delay the start of supervision and potentially leave victims open to more victimization.

Is there consistency with agent responses to violations?

P&P agent responses to violations are evidence-based matching violations to risk levels of the original crime. Agents use a matrix of violation severity, including listing of appropriate responses and custody policies. Custody and warrant decisions are made with supervisory consideration and approval. Agents are trained to reinforce, reward and incentivize positive behaviors. Sanctions are immediate and congruent to violations. It is not P&Ps goal to put people addicted to drug/alcohol in jail, which is proven to be ineffective on its own.

How good are agents at acknowledging progress?

Agents are making progress in this area but it does not come easy. Agent training has historically focused on violations rather than progress. Agents strive to support recovery without being punitive.

Does DOC have violation data available?

P&P has a revocation database which captures some violation information. One shortfall of this data is that if one person has five violations at the same time, only the most serious violation is coded and captured. Other

shortfalls of the system are that it does not capture BACs associated with OWIs and it is difficult to extract violation and revocation data.

Is the violation information made available to the jail and criminal justice partners?

Risk levels are an important consideration at jail intake. The jail needs to know what an inmate is being held in jail for but not necessarily all of the charges against them. Jail data is used to manage the housing of inmates and is not readily or easily married to DOC data. Information wanted/needed by the jail and other criminal justice partners is very different. Inmate charges entered into the system by jail staff may not reflect decisions made by the DA or even go on CCAP. Touching all data bases with all information would be messy because there is no consistency between partners on what data is needed and used.

Opportunity

- Seek opportunities to make more data readily available to all criminal justice partners.

Decision Point #11: Community Behavior Change (Treatment) Interventions

There are many treatment options available for P&P clients. Private insurance is used for services whenever possible and when it is not, clients go through the county DHHS. In Waukesha County, there is a shortage of designated evidence-based treatment groups, same day services, psychiatrists in general, and psychiatrists who are trauma-informed who follow evidence-based practices. It is important to align case plans with criminogenic needs and appropriate dosage hours.

Opportunity

- Complete an environmental scan of community treatment options including collection of such information as description of treatment provided and whether it is evidence-based, capacity, waiting list, success rates, cost, insurance accepted, etc.

Decision Point #8: Local Institutional Releases/Extended Supervision Releases

How is release from jail determined? How does Waukesha County prepare people for release and after care?

The courts provide the jail with lists of inmates who are set to be released. Some inmates are very prepared for release and are employed, medically sound, absent of mental health issues, have support structures at home, and are ready to start life. Others are quite the opposite. A few times per year, the jail is required to release people that have many challenges (AODA, no place to live, unsettled mental health issues, etc.) and will be in danger when released. For those with no place to go, a jail staff person will contact family or community groups, such as the Salvation Army, in hopes of finding housing. It is a violation of inmates' rights to hold them until suitable housing and safety is found.

What happens in the jail on the day of an inmate's release?

It is the Sheriff's Department job to monitor the jail and therefore there is no staff dedicated to release planning. The Sheriff would be more than happy to hire a release planner if funding were provided. Inmates at the jail for longer periods may receive services that would be helpful upon release. The majority of inmates have some semblance of support and are successfully discharged from the jail. The jail does not have the authority to keep inmates who lack resources or places to go. Whenever possible, releases are scheduled to coincide with HHS' operating times. The CJCC budget funds a discharge planner position in the jail that tries to meet with offenders 30 days prior to release to establish basic needs. Over time, medical and mental health issues, with strong emphasis on making sure all prescriptions are set up in the community, have become their priority.

Though discharge planning is not traditionally a jail task, Carter indicated that structured reentry plans greatly increase the likelihood of inmates' success after release.

Opportunities

- Investigate interagency and collaborative efforts or systems to help inmates unprepared for jail discharge.
- Investigate whether there is need for a discharge planner.

Release from prison to P&P includes significantly more planning and preparation than jail release. Planning generally begins six months prior to release and includes planning for housing, employment, aftercare, etc. Early release, an exception to this rule, may allow very little time to plan for release.

Opportunity

Benedict enlightened the group on a systemic inefficiency related to pretrial supervision violation notifications. Benedict said when a pretrial program client violates, WCS staff sends a letter to the judge reporting the violation. The judge may put the letter in the file for discussion at a future hearing or they can issue a bench warrant. (Benedict noted that there is a wide variation in practice between judges.) No notification of the bench warrant is sent to the public defenders' office, client's attorney or DA's office. To resolve the bench warrant, defendants must appear in front of the judge. It can take quite some time once the warrant is filed for clients to learn about them or they are arrested before receiving notification. Once clients learn of the warrant, they and their attorneys scramble to get the warrants cleared. The process is inefficient, harmful to the community and causes those involved to mobilize for a non-emergency. Most of these court cases result in warnings or increases in bail with a small percentage being detained. Benedict suspects that it would be easier, more efficient and less expensive to invite these clients to court rather than trying to find them via warrant. Benedict recommended researching the process to determine if more efficient and cost effective options are available.

Dorow suggested a small group meet with Carter to discuss the issue before presenting ideas to WCS and judges. The group needs to determine the cost of the issue system-wide, if judges are overusing warrants to deal with WCS violations and whether there are more effective responses. Perhaps a violation matrix could be developed.

Identify Change Targets

Committee members were asked to refer to a handout titled *EBDM Change Target Selection Process*. Carter challenged the group to consider selection criteria such as ranking by priority, impact, ease of completion, harm reduction, time investment, cost, etc. The group decided to first seek systemic targets with the following selection criteria:

- Fiscally obtainable
- Short term return on investment
- Investment improvement opportunities/impact (best use of resources and high impact)
- Address critical/broken issues
- Harm reduction potential
- Systemic impact
- Reduce redundancy, create efficiencies
- Enhances safety
- In accordance with our EBDM values

Establish Ad Hoc Workgroups to Address Targets

Because of limited time and data, the group decided to select two to eight systemic targets. Target workgroups will be formed to collect data, quantify issues and identify opportunities for improvements. Workgroup co-chairs will regularly report progress to the full EBDM workgroup. The full EBDM workgroup will determine whether to pursue target improvements. A handout titled *EBDM Decision Point Opportunities* was distributed. Committee members were asked to review the handout and decide which of the 40 opportunities should be addressed first.

The opportunities were prioritized and categorized into 4 workgroups:

Issue	Co-Chairs
Case Processing	Opper Neimon
Pretrial	Dorow Carpenter
Mental Health	Robertson Ruzinski
Victim Issues	Dunn Bell

Luczaj will work with all co-chairs to develop workgroup membership and set meeting dates.

Statewide Issues List

- Remove items from public view on CCAP which will remove the social stigma connected with certain crimes and increase employability for those who commit these crimes
- Changes to state mental health laws

Carter directed the group to review a handout titled *EBDM Change Target Work Group Process At-A-Glance* to help them prepare for the workgroup experience.

The meeting adjourned at 2:45 p.m.