



Waukesha County  
Criminal Justice Collaborating Council  
Evidence-Based Decision Making Case Processing Workgroup  
Thursday, March 17, 2016

**Team Members Present:**

District Attorney Sue Opper

Judge Ralph Ramirez

Clerk of Circuit Court Kathy Madden

Attorney Dan Fay

Commissioner Robert Dehring

Attorney Katie Bricco

**Team Members Absent**

District Court Administrator Michael Neimon

**Also Present:**

CJCC Coordinator Rebecca Luczaj

Circuit Courts Coordinator Amy Rendall

Opper called the meeting to order at 7:33 a.m.

**Review Data Collection Spreadsheet & Discuss Further Data Needs**

Madden reviewed the spreadsheet of data collected on all CT and CM cases during a 1-week period in February 2015, which was a total of 112 cases. There was an average of 27 days from initial appearance to obtaining counsel. A "0" in that column means that either the defendant never obtained an attorney, or the defendant appeared with an attorney at the initial appearance. All of the cases examined tracked data on Count 1 (the lead count), which is usually the most serious of the charges. The group discussed asking the legal clerk to pull data on CF cases as well. Ramirez stated that the number of days between the initial appearance and obtaining counsel reflects a delay in the system. Bricco asked if the legal clerk could reexamine the time to disposition again, as the average of 35.11 days does not seem accurate. Luczaj asked what the negative numbers meant in the number of days between initial appearance and obtaining counsel column. Madden said she will get clarification from the legal clerk who compiled the data. Ramirez commented that a large number of cases are adjourned for treatment, which begs the question how can we get them into treatment earlier and is the reason for multiple adjournments because there are no treatment openings? Opper commented that it is hard to capture exactly where the delays are occurring. Madden suggested that the workgroup look at FTA's. Fay commented that often times the address where the summons is mailed is incorrect, so that can negatively affect the FTA rate. Bricco asked how counsel could be obtained prior to charging, and wondered if information for the Public Defender's Office could be included with letters for the 180 Diversion program.

The group agreed it would also be beneficial to look at CF cases over the same time period. Madden will bring that data to the next workgroup meeting, including adding branch number to the spreadsheet.

**Discuss Pre-Charge Diversion Opportunities**

Ramirez asked what our current pre-charge diversion options are. Opper stated 180 Diversion is the only option at this time. Ramirez asked to see the letter mailed to defendants by the DA's Office. Opper will bring the letter to the next meeting. The group discussed the 180 Diversion Program at length and decided to invite the case manager, Rebecca Scott, to a future meeting to present on the program, including outcomes such total served per year (number of pre-charge and post-charge participants), total

successful completions, and whether they track recidivism. Bricco stated there is an issue with the cost of the program. Fay asked what the pretrial offers are for these cases. Madden asked if there are opportunities for low-level felonies to be considered for diversion. Opper stated that diversion programs are a gap for us in the county; we only have 1 option.

Luczaj will contact Eau Claire County to get information on their pre-charge diversion program to bring to the next meeting.

**Discuss Next Steps & Set Date for Next Meeting**

The next meeting is March 24, 2016 at 7:30 a.m.

**Adjourn**

The meeting adjourned at 8:30 a.m.