



Waukesha County Criminal Justice Collaborating Council
Evidence-Based Decision Making Pretrial Workgroup
Monday, May 9, 2016

Team Members Present:

Judge Jennifer Dorow (Co-Chair)	Laura Lau	Sam Benedict
Sara Carpenter (Co-Chair)	Sue Opper	

Also Present:

Rebecca Luczaj	Mike Balda
Abbey Nickolie	
Corina Van Duser	

Team Members Absent:

Craig Kuhary

Dorow called the meeting to order at 12:04 p.m.

Approve Minutes from April 8, 2016

Motion: Opper moved, Benedict second, to approve the minutes of April 8, 2016. Motion carried unanimously.

Discuss Feedback from Policy Team on Workgroup Change Strategies

Luczaj distributed the "Recommended Change Strategies" handout, which was presented to the Policy Team on April 13. The Policy Team provided positive feedback for the workgroups. Carter was very impressed with what the workgroups had put together and there were no suggested changes for the workgroup's change strategies. Luczaj commented that the workgroup co-chairs really put forth a lot of effort, and she is very thankful for everyone's hard work.

Continue Discussion on Dosage of Supervision for Pretrial Intoxicated Driver Intervention Program Participants

Carpenter distributed the handout, "Remote Breath Results." Carpenter and Mike Balda from WCS gave an overview of the Remote Breath technology. The device will call the client five times a day randomly in a 24-hour period, which is consistent with national standards. Balda passed the device around for everyone to look at as it was explained. The durable device powers up and requires the participant to blow into it. The device will then give an approximate GPS location and use facial recognition to verify identity. Once the participant blows into the device, the results will be sent directly to WCS. When out of range, the results will be sent once the individual is back within cell phone range. The participant has the option to receive text alerts in which they will then have a 30-minute window to test. They can choose to be alerted immediately, 15 minutes prior, or 30 minutes prior to the test. However, participants are not required to have a cell phone. If they do not have a cell phone, the device will make an alert instead. If they miss the test, there is contact information for them to call a WCS staff member.

Carpenter discussed the results found from participants using the Remote Breath device. There is significantly more participation required for Remote Breath compared to SCRAM. They also found that

some participants preferred the Remote Breath device rather than SCRAM. These participants had no issues with missing a test. The participants that had issues with the Remote Breath device were participants that had repeated patterns of missing tests. If they have a missed test and the participant makes an effort to call, Carpenter stated they do an on-demand test and will not report the missed test if it is negative. WCS gives the clients every opportunity to comply. An issue discussed regarding on-demand testing was the maximum number of these to be allowed. If someone has a repeated pattern of missed tests, they would then be moved to SCRAM.

Luczaj distributed the handout, "OWI Risk Tool Levels and Corresponding Supervision Dosage" for review and corrections. Corrections were made on the low-risk category of supervision, changing compliance from 90 days to 30 days. If in 30 days, there are no issues and participants are compliant, they have successfully completed the program. Full compliance is described as having no more than two missed tests in one month, only two "on-demand" tests per month within 90 minutes of the initial required testing time, and no consecutive "on-demand" tests. If the Remote Breath device is not working for a specific client due to missed tests or another reason, they can have the option to be placed on SCRAM. Carpenter will update the handout with the given corrections and email it to the group.

➤ **Discuss Supervising Defendants Charged with Drugged Driving Offenses**

Workgroup members discussed how pinpointing compliance requirements and a solution for the low risk drugged driving population is difficult due to drivers with prescribed medications. After careful discussion, a consensus was reached for defining compliance for drug testing. There are to be no positive tests, in which they will have the opportunity for confirmation testing, and also no refusals, in which they have the opportunity to test all day the same day called to test and they then cannot leave the WCS lobby. After 30 days of full compliance, they will not be monitored any longer. The issue becomes complicated when the drugged driver is considered low risk and the offense involved prescribed or controlled medications.

Review & Discuss Workgroup Logic Model & Action Plan Templates

This item was not discussed and will be reviewed at the next meeting.

Discuss Next Steps & Set Date for Next Meeting

The next meeting date is scheduled for Monday, May 16 at 9 a.m. Dorow would like statistics on the number of drugged driving clients currently being supervised in IDIP. Carpenter will email statistics and updated handouts to the workgroup as well as bring updated copies to the next meeting.

Adjourn

The meeting adjourned at 1:18 PM.