



Waukesha County Criminal Justice Collaborating Council
Evidence-Based Decision Making Victim Rights Workgroup Minutes
Monday, November 21, 2016 @ 12:00 PM

Members Present:

Hon. Michael Aprahamian Marla Bell Jen Dunn
Jay Laufenberg Kelsey Morin (arrived at 12:16 PM)

Members Absent:

Kathy Madden

Others Present:

Rebecca Luczaj Carla Matz Alison Ries

Dunn called the meeting to order at 12:08 P.M.

Approve Minutes from November 7, 2016 Meeting

MOTION: Aprahamian moved, second by Bell to approve the minutes November 7, 2016. Motion carried unanimously.

Discuss & Consider Workgroup Membership Addition

Dunn stated that per an email from Madden, she would like to take some time off from the workgroup. Amy Rendall, Circuit Court Division Coordinator, would be able to attend in Madden's place and do well representing the Courts. Luczaj stated that Rendall has not been a formal member so she has not counted toward their quorum and asked for a motion to approve Rendall's membership addition. MOTION: Aprahamian moved, second by Bell to add Rendall to the Victim Rights Workgroup. Motion carried unanimously.

Review Revised Legislative Memo

Dunn gave an update on the regional meeting she attended for Victim Witness Coordinators last week, and commented that counties have very different protocols for collecting restitution. For example, the Clerks of Court for Sauk and Dodge counties collect all restitution. Dunn also contacted the state EBDM Policy Team and the Crime Victim Council about getting on their next meeting agendas to review the workgroup's recommendations on changes to Act 355.

Dunn asked the group if we want to write specific recommendations in the memo, or just present the issues/concerns with the way the current legislation reads. The group all agreed that we want to include specific recommendations for changes to the current legislation. Morin asked if it is the group's position that *no other fines/court costs* be paid before restitution. Aprahamian said what about it being subject to a court order. Morin replied that the difficulty with that scenario would be if someone came in to pay, there would not be time to get a court hearing.

Dunn suggested that the workgroup go through the memo chronologically to see if any further changes are needed, and to discuss prioritization. The group agreed to the following changes for corresponding numbers in the memo:
1) Add language that says "except for outstanding warrants" to the first sub-bullet point, so that it should read: "The Victim Rights Workgroup recommends that the Attorney General should issue an opinion clarifying that other fines and fees, except for outstanding warrants, cannot take precedence over restitution; alternatively, Act 355 should be amended to make clear that restitution shall be collected first."

- 3) Add a specific recommendation for a flat/fixed administrative fee/surcharge for certifying restitution debt to DOR. Further information is needed from Madden and Rendall to clarify the tasks that still need to be performed by staff when certifying debt to DOR, and what the cost of that staff time would be.
- 5) Add specific statute number to cite current legislation mandating civil judgments lapse after 10 years.
- 6) Aprahamian is working on revised language for the Good Faith clause and will send it to Dunn.

The group agreed to rearrange the existing order of recommendations to the following:

- 1)
- 3)
- 4)
- 2)
- 5)
- 6)

Discuss Agenda Items for Next Meeting with EBDM Consultant

Luczaj received an email from NIC consultant, Mimi Carter, indicating that their contract with NIC is not starting until December 15 for Phase VI. Carter will not be coming at all in December for the workgroups or Policy Team meeting. Luczaj will forward Carter's email to all workgroup chairs with three options: 1) Leave the December 5-6 meetings scheduled as-is. 2) Move the date of the meeting if it falls outside the normal workgroup meeting schedule. 3) Cancel the meeting altogether. Luczaj is looking at the week of January 9 for Carter to reschedule her visit.

Luczaj asked committee members if they want to keep the bi-weekly workgroup meetings on Mondays at Noon for 2017. All committee members agreed. Luczaj will send out a recurring Outlook notice for 2017 meeting dates.

At the next meeting, Bell would like to review the workgroup's work plan and prioritize activities for the workgroup in 2017. In response to Bell's question, Dunn discussed what the primary duties of the Restitution Specialist would be, once hired.

Luczaj will bring copies of the state's new CJCC/EBDM organizational chart and change targets to the next meeting.

Adjourn

The meeting adjourned at 12:50 P.M.

Next Meeting Date

Monday, December 5, 2016 at 12:00 P.M.