

State Criminal Justice Coordinating Council: Meeting Minutes

Co-Chairs: Attorney General Josh Kaul and Department of Corrections Secretary Kevin Carr

Wednesday, June 14, 2023, 1:00 p.m. – 3:00 p.m.

Virtual Meeting

Members Present:	Attorney General Josh Kaul, DOC Assistant Deputy Secretary Melissa Roberts (designee for Secretary Kevin Carr), State Public Defender Kelli Thompson, Mark Abeles-Allison, District Attorney John Chisholm, Chief Daniel Hardman, Jennifer Wakerhouser (DWD Designee), Jane Graham Jennings, Holly Audley (DHS Designee), Patti Jo Severson, Fran Deisinger
Members Not Present:	Hon. Jo Deen Lowe, Hon. Jennifer Dorow, Hon. Elliott Levine, Emilie Amundson, Vanessa McDowell, Hon. Randy Koschnick, Tianna Glenna
DOJ Staff:	Ashley Viste, Chris McKinney, Steve Wagner, Lara Kenny, Ashley Billig, Ryan Anderson, Mike Austin, Sabrina Gentile, David Rinderle, Phil Zell, Mike Derr, Caitlin Snyder, Marsha Schiszik, Chris Henning, Mike Derr, Danielle Long, Brad Kelly, Kerrie Fanning, Christine Schulz
Other Attendees:	Adam Plotkin, Constance Kostelac, Arielle Exner, Heather Kierzek, Hilary (HJ) Waukau, Sara Benedict, Ann Olson, Linda Palmer, Paul Winterscheidt, Kelsey Christensen, Karley Downing

The meeting was called to order by Attorney General Josh Kaul at 1:03 p.m.

WELCOME AND OPENING COMMENTS

Attorney General Josh Kaul welcomed everyone to the meeting of the Criminal Justice Coordinating Council (CJCC).

Attorney General Kaul updated the council that a new Executive Order (EO) is still in process with the Governor's Office. The CJCC will continue to operate under the existing EO.

APPROVAL OF 03/08/2023 MEETING MINUTES

Motion was made by State Public Defender Kelli Thompson and seconded by Mark Abeles-Allison to approve the 03/08/2023 meeting minutes. The motion was approved.

UPDATE FROM SUBCOMMITTEES

RACE EQUITY, INCLUSION, AND ACCESS (REIA) SUBCOMMITTEE

DOJ staff Mike Austin updated the council on progress related to the two major goals for 2023. An overview of subcommittee goal updates is included in Appendix A to the minutes.

DATA SHARING/OUTCOMES, TRENDS, AND INDICATORS (OTIs) SUBCOMMITTEE

DOJ staff Ryan Anderson provided the Data Sharing/OTIs Subcommittee updates related to 2023 goals. An overview of subcommittee goal updates is included in Appendix A to the minutes.

TREATMENT ALTERNATIVES AND DIVERSION (TAD) SUBCOMMITTEE

Co-chair Sara Benedict updated the council on the TAD subcommittee's progress related to the subcommittee's 2023 goals. An overview of the subcommittee goal updates is included in Appendix A to the minutes.

EVIDENCE BASED DECISION MAKING (EBDM) SUBCOMMITTEE

State Public Defender Kelli Thompson updated the council on the progress related to the EBDM subcommittee's 2023 goals. An overview of the subcommittee goal updates is included in Appendix A to the minutes.

LEGISLATIVE AND STATE AGENCY BUDGET UPDATES

DEPARTMENT OF JUSTICE (DOJ)

DOJ Government Affairs Director Chris McKinney reported the DOJ budget was approved by the Joint Finance Committee (JFC). JFC did make several modest investments in DOJ's budget and several items that JFC acted on were budget items that the criminal justice coalition worked together to advance.

JFC approved providing an additional \$3.5 million for county victim witness services, approved three additional positions for the crime lab, and approved converting an assistant attorney general (AAG) project position to a full-time position.

As part of the coalition budget request, for the TAD program DOJ requested five additional positions and statutory changes requested by the TAD subcommittee. JFC did not approve any positions or statutory changes; however, JFC did consolidate some appropriations that will assist DOJ and did provide an additional \$1 million in the second year of the biennium for TAD. JFC did make some decisions that will be challenging for DOJ moving forward. DOJ had requested stable state funding for the Office of School Safety (OSS) which is currently funded through ARPA funds that will run out at the end of the calendar year. DOJ's request included 14 positions and \$2 million. JFC did not approve funding or positions for OSS moving forward.

JFC also declined to take up requests that were made on behalf of the Office of Crime Victim Services (OCVS). A budget request was made for OCVS as the department is concerned about the level of Victims of Crime Act (VOCA) funding available in the future.

DEPARTMENT OF CORRECTIONS (DOC)

DOC Assistant Deputy Secretary Melissa Roberts reported the DOC budget was approved by the JFC. Many items were removed from the Governor's executive budget prior to the JFC executive session. The pay increase requested for correctional staff was not approved. JFC stated that pay increases would not be approved with the budget, but that pay increases would be revisited when they work on the compensation plan.

JFC approved a budget request to increase prison bed funding for the county jail contract. There has been an increase in population since the pandemic is over and institutions are accepting more inmates. JFC approved funding for an additional 212 beds in 2024 and an additional 600 beds in 2025. They also provided for an additional 425 beds in the JFC supplemental appropriation which would need a 13.10 hearing in the future to access.

JFC approved a funding request to expand the Medication Assisted Treatment program (MAT). The approved request would provide \$955,900 in GPR in the first year of the biennium and \$3,727,400 in the second year of the biennium.

For the technical mobile lab partnership with DWD, JFC directed DWD to provide \$975,800 in Fast Forward funds to DOC. This is a pass through from DWD to DOC who will then contract with the technical college foundation for the mobile labs.

JFC did not approve funding to expand Windows to Work. JFC approved an alternative for DOC's request for the expansion of the Opening Avenues to Reentry Success (OARS) program. JFC approved providing \$760,300 GPR in 2023-24 and \$1,512,000 GPR in 2024-25 in the Becky Young community corrections appropriation to expand the OARS program, and create non-statutory language to specify that increased OARS funding would be provided for the original OARS program only.

JFC approved additional funding needed to complete the Type 1 Juvenile Facility in Milwaukee County. Governor Evers also asked for funding for a second juvenile facility in Dane County, but JFC did not approve the funding for that facility. However, JFC did provide \$6 million to seek out a second site for a juvenile facility as well as provide specs and design.

STATE PUBLIC DEFENDER'S OFFICE

State Public Defender's Office Legislative Liaison Adam Plotkin reported the State Public Defender's budget was approved by the JFC.

For both the State Public Defender's Office and the District Attorney's Office, JFC approved a request to increase the minimum salary from \$27.24/hour to \$36/hour for public defenders and ADAs. JFC also made current staff whole by approving the increase in pay for current staff during the first year of the biennium and then merit increases in the second year of the biennium.

JFC also approved an increase in the compensation for the private bar attorney compensation rate from \$70/hour to \$100/hour and increased the travel compensation from \$25/hour to \$50/hour. This rate begins to apply to cases assigned on or after July 1, 2023. The State Public Defender's Office is communicating with courts, judges, and others affected by this change.

Additionally, since the enactment of the constitution change regarding bail, the Office is continuing to have conversations with pretrial coordinators and others about what those changes will mean in practice.

DEPARTMENT OF HEALTH SERVICES (DHS)

DHS Legislative Director HJ Waukau reported the JFC is having an executive session on the DHS budget tomorrow, June 15, 2023. There are several items that are still under consideration by JFC for DHS' budget including funding for crisis/urgent care observation center, 988 (suicide crisis hotline) funding, funding increase request for the room & board costs for residential treatment centers, and funding to fully staff (140 positions) at the Mendota Juvenile Treatment center that is currently under construction.

During DOC's budget hearing, JFC approved a transfer of 110 positions at the Wisconsin Resource Center from DOC to DHS. In addition to the budget, JFC will also schedule a 13.10 meeting for the \$8 million in opioid settlement funds that the State will be receiving from opioid companies. There was an objection to the prior plan submitted by DHS to JFC on April 1, 2023. A revised plan will be presented by JFC tomorrow during the 13.10 hearing.

OFFICE OF STATE COURTS

Chief Legal Counsel Karley Downing from the Office of State Courts reported the Office's budget was approved by the JFC. JFC approved providing \$402,100 GPR in 2023-24 and \$438,700 GPR in 2024-25 in the circuit court cost appropriation for additional support to counties. Under 2019 Act 184, the number of circuit court branches in Wisconsin will increase from 257 to 261 on August 1, 2023. Since the circuit court cost appropriation distributes funding based on the number of branches, increased funding is intended to maintain current per branch funding levels.

Office of State Courts also requested \$2 million for each year of the biennium for a cyber security program. This request was made for GPR funding. The request for GPR funding for this was made because while CCAP is funded through program revenue (PR) e-file fees and other fees, this GPR request would relieve some pressure from the PR funds. Governor Evers changed the funding source of this request from GPR to PR and JFC did approve this funding in their budget recommendation as PR instead of GPR.

During the budget hearing, JFC did not include the request for an increase in funding for digital audio recordings. Office of State Courts can obtain this funding and expenditure approval through other methods in the future.

During the Department of Transportation (DOT) budget hearing, JFC approved a provision providing protection for Wisconsin Supreme Court Justices by the Wisconsin State Patrol's Dignitary Protection Unit.

DEPARTMENT OF WORKFORCE DEVELOPMENT (DWD)

DWD Legislative Liaison Arielle Exner reported the DWD budget was approved by the JFC. There were several provisions in DWD's budget request under the Division of Employment and Training that were removed by JFC from DWD's budget. These requests were related to DWD's work with justice involved individuals.

DWD requested funding and positions for correctional institution job center staffing to DOC. JFC approved an alternative where DWD will provide \$975,800 from Fast Forward grant funding to DOC to support instructor and mobile lab costs.

JFC approved a measure to decrease \$1,000,000 GPR annually from the Department's workforce training; programs, grants, services, and contracts ("Fast Forward") appropriation. Funding from DWD's Fast Forward appropriation would be \$5,250,000 annually.

JFC did approve a request to provide additional funding for local youth apprenticeship grants. JFC approved the provision to provide \$3,000,000 GPR in 2023-24, and \$4,000,000 GPR in 2024-25, in additional funding to the Department's continuing appropriation for grants for local youth apprenticeship consortia. Funding for local youth apprenticeship grants would be \$9,000,000 GPR in 2023-24 and \$10,000,000 GPR in 2024-25.

Presentation on Deflection Initiative

DOJ Bureau of Justice Programs Staff Brad Kelly, as well as Christine Schulz with DOJ Bureau of Justice Information and Analysis, presented to the CJCC on the Wisconsin Deflection Initiative (WDI) that is supported through federal grant program funding from COAP '18 (Comprehensive Opioid Abuse Program) and COSSAP '19 (Comprehensive Opioid, Stimulant, and Substance Abuse Program). The presentation included further information regarding DOJ's federal grant application for COSSUP '23 (Comprehensive Opioid, Stimulant, and Substance Use Program) that was submitted and is currently under review.

PUBLIC COMMENT

Members of the public were invited to address the Committee.

ADJOURN

A motion was made by State Public Defender Kelli Thompson and seconded by Mark Abeles-Allison to adjourn the meeting. The motion was approved.

The meeting was adjourned at 2:30 p.m.

CJCC 2023 Subcommittee goals and outcomes



<https://www.doj.state.wi.us/>

REIA Subcommittee Goals

Goal #1:

Review barriers to inclusion on juries and recommend system reforms.

Outcomes:

- Work with the Office of State Courts and other state agencies to develop a pilot process that integrates new statutorily permissible lists into the Master Jury List.
- Work with the Data Sharing Subcommittee Co-Chairs for technical support and advice on improving data sets.
- Review juror summons process including language on forms and possible unintended barriers.

UPDATE 6/14/23:

1. Met with the Department of Transportation on efforts to improve the Master Juror List. Discussions led to the inclusion of state identification cards which previously were not included.
2. Reviewed the Juror Questionnaire form with the State Courts Records Management Forms Subcommittee to discuss barriers to participation from felons who have completed their sentence. The State Courts has agreed to change the language on the form to align more with the statutory language and remove confusion around the language.

<https://www.doj.state.wi.us/>

REIA Subcommittee Goals

Goal #2:

Continue efforts to increase educational opportunities around REIA in the criminal justice system.

Outcomes:

- Subcommittee members will discuss opportunities for educational opportunities at conferences, trainings, webinars, etc.
- Review the Juror Project lesson plans for students and community groups.
- DOJ Staff and subcommittee members will look for partners to sponsor professional speakers.

UPDATE 6/14/23:

1. The subcommittee has reviewed the Juror Project materials and has begun brainstorming organizations that might be able to host educational sessions.

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Data Sharing/OTIs Subcommittee Goals

Goal #1:

Develop performance indicators that utilize integrated data from multiple systems (DOC, DOJ, CCAP) to demonstrate the analytic value of data integration.

Outcome: The subcommittee will develop two to three performance indicators to analyze topics such as violent crime, overdose, repeat victimization, and disparities by race/ethnicity. The performance indicators can be utilized to help identify trends or evaluate interventions and support efforts to reduce crime, victimization, and disparities.

Update 6/14/23:

- This goal is being given priority consideration given the connection to JRI and the importance of identifying the value of cross-system sharing
- Initial discussions have started on potential measures across multiple systems
- Consideration being given to strategies for approaching the prioritization of measures
- Identified connection between this goal and the goal on identifying data needs and gaps
- Will be a focus of the 7/18/23 meeting

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Data Sharing/OTIs Subcommittee Goals

Goal #2:

Identify and learn from successful examples of data sharing among criminal justice and non-criminal justice agencies.

Outcome: The subcommittee will conduct research to learn from successful data-sharing practices in other states or localities to develop secure, efficient, and effective practices for data sharing. This will increase the ability of criminal justice system and partner organizations to integrate and utilize cross-sector data to enhance safety and justice-related goals of the CJCC and stakeholders through research, analysis, and evaluation.

Update 6/14/23:

- Building on presentations the subcommittee has received over the past 2 years
- Connects in with JRI and related work
- Initiated researching other states and local jurisdictions for data sharing practices
- Identifying associations or groups that focus on data sharing initiatives for resources
- Intent is to bring some of the information to the group at the upcoming meetings in 2023

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Data Sharing/OTIs Subcommittee Goals

Goal #3:

Continue to identify and make recommendations to address data gaps.

Outcome: Subcommittee will use meetings to discuss and identify critical gaps in data collection, availability, or analysis that should be emphasized based on CJCC goals, as well as agency and community priorities.

- Based on the identified gaps, the subcommittee will take steps or make recommendations to address the gaps to identified needs.

Update 6/14/23:

- This goal is being given priority consideration given how this impacts state and local agencies, as well as the work of the subcommittee
- Developing a short process for subcommittee members to identify known data gaps
- Will be a focus of the 7/18/23 meeting

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Data Sharing/OTIs Subcommittee Goals

Goal #4:

Support the CJCC in addressing data analysis needs.

Outcome: Subcommittee will support CJCC and subcommittees in their data analysis needs.

Update 6/14/23:

- On-going goal, but more directly stated than in previous years
- Invitation for other subcommittees to reach out for support with specific data needs or for input on data approaches for specific initiatives
- Also connects with the subcommittee support of JRI and more recently, Justice Counts

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Data Sharing/OTIs Subcommittee Goals

Goal #5:

Promote consistency in data collection.

Outcome: Subcommittee will explore areas for developing consistency in the way data is collected and submitted by criminal justice and partner agencies to make recommendations for improvement (e.g., the development of a common incident form, entry of PDMP information/overdose, campus crime data collection, and reporting).

Update 6/14/23:

- This is still a Tier 1 goal, but the subcommittee decided to prioritize the other goals
- Will be revisited based on progress on the other goals

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TAD Subcommittee Goals

Goal #1:

Review/analyze proposed legislation & 23-25 budget provisions impacting TAD-funded treatment court and diversion programming.

Outcome:

- Subcommittee will coordinate with DOJ staff to provide updates/assistance with tracking and analyzing bills for the entire Subcommittee and CJCC. Members of the Legislative Work Group will take the lead in this role.

UPDATE 6/14/23:

- Lara Kenny has shared information on Gov. budget proposal and legislative actions with BJP staff.
- Adam Plotkin and Chris McKinny provided budget and legislative updates to Subcommittee and BJP staff.

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TAD Subcommittee Goals

Goal #2:

Assist DOJ with identifying grant opportunities and sources of funding to help cover the cost of local site's treatment, recovery support, and related services.

Outcomes:

- Subcommittee members will share funding information during quarterly meetings.
- DOJ staff will share new and alternative sources of funding information with TAD grantees.

UPDATE 6/14/23:

- DOJ staff sent several emails on grant funding and other resources offered by DHS to TAD grantees.

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TAD Subcommittee Goals

Goal #3:

Committee members will assist DOJ with providing and facilitating training/TA to TAD grantee staff and agencies, especially newly funded programs.

Outcome:

- The subcommittee members will complete surveys describing their areas of expertise and experience, to be matched up in training/TA activities with TAD grantees.

UPDATE 6/14/23:

- Surveys have been sent out and completed by subcommittee members; results are being tabulated.

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TAD Subcommittee Goals

Goal #4:

Serve as an advisory body to guide BJP's administration of the new federal SCIP (State Crisis Intervention Program) grant initiative.

Outcomes:

- The subcommittee co-chairs will work with BJP staff to fill new seats needed to meet SCIP membership requirements.
- The subcommittee will provide input to establish program priorities and multiyear funding plan to be submitted to US DOJ, BJA for approval.
- The subcommittee will advise on the administration of subgrant opportunities and grant award.

UPDATE 6/14/23:

- DOJ is in process of hiring new program/planning analyst and grant specialist to administer program

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TAD Subcommittee Goals

Goal #5:

Promote the use of data-based decision-making models by BJP and others in establishing policies & procedures for awarding and administration of TAD grant funds and monitoring the effectiveness of programs.

Outcomes:

- The subcommittee will work with BJP and BJIA staff to review and draw conclusions from TAD program admissions, progress, and graduation/termination CORE data.
- The subcommittee will partner with EBDM Subcommittee and other CJCC entities to promote statewide EBDM Initiatives and other related projects designed to expand data-driven decision-making strategies and methods.

UPDATE 6/14/23:

- BJIA staff are planning to develop CORE dashboard site that provides interactive statewide data regarding treatment court and diversion program eligibility and admissions rates, by various categories.

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EBDM Subcommittee Goals

Goal #1:

Expand EBDM pretrial to additional jurisdictions.

Outcomes:

- Subcommittee members and DOJ will work together to establish interest in pretrial and EBDM methods for additional jurisdictions to improve fairness, reduce pretrial detention, increase efficiency, and improve public safety. Quarterly meetings will include an agenda item for pretrial updates.
- Subcommittee members and DOJ will work together to identify grants and other resources for jurisdictions that can help reduce bias, make informed decisions about detainment, streamline the process, and ensure defendants do not pose a risk to the community.

UPDATE 6/14/23:

- Ongoing- Each meeting includes an agenda item for pretrial updates.
- The subcommittee has recommended to DOJ to continue to fund the existing pretrial sites currently funded under JAG but not to expand grant opportunities until data is collected and analyzed.

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EBDM Subcommittee Goals

Goal #2:

Promote EBDM systems mapping and the creation and maintenance of local CJCCs.

Outcomes:

- Subcommittee and DOJ staff will work together to determine the need for systems mapping and building capacity for local CJCCs.
- Subcommittee and DOJ staff will work together to identify resources for providing training to increase systems mapping awareness and promote effective policies and EBDM practices.

UPDATE 6/14/23:

- The Office of State Courts (Heather Kierzek) has hosted multiple local CJCC coordinating meetings. These meetings helped determine how to best support local CJCC coordinators going forward.

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EBDM Subcommittee Goals

Goal #3:

Build and sponsor an EBDM summit.

Outcome:

- Subcommittee and DOJ staff will work towards hosting a statewide summit winter of 2023/2024 including identifying resources to sponsor the summit, identifying critical topics for education/discussion, and building an agenda.

UPDATE 6/14/23:

- Per recommendation from the subcommittee, funding will be built into the upcoming JAG grant application to support the need for an annual CJCC summit/conference. This summit/conference will build upon momentum from the local CJCC coordinators meetings.

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EBDM Subcommittee Goals

Goal #4:

Coordinate with the TAD subcommittee and DOJ staff to help provide and facilitate EBDM relevant training/TA to agencies with EBDM and TAD related programs.

Outcome:

- Subcommittee members will complete surveys identifying their areas of expertise and experience, to be matched up in training/TA activities for high priority training topics.

UPDATE 6/14/23:

- The Justice Programs Participation Survey has been sent out to subcommittee members and BJP staff are compiling the results.

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EBDM Subcommittee Goals

Goal #5:

Re-engage in efforts to use EBDM framework to discuss a wide range of difficult topics.

Outcome:

- During quarterly meetings, the subcommittee members will review key justice systems decision points at the state and local level and choose a new decision point(s) to work on for improvement.
- Subcommittee members will work with DOJ to help identify grants and other resources to help fund the work on a new decision point.
- Subcommittee will work with CJCC and local partners to build awareness for EBDM initiatives such as pretrial, law enforcement deflection, and other related programs.

UPDATE 6/14/23:

- The main topic of interest in the first two meetings of the year has been Bail Reform legislation and the possible ramifications on pretrial sites.
- Wisconsin DOJ staff (Brad Kelly) presented to the subcommittee on the Wisconsin Deflection Initiative, which is a possible area of future growth.

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EBDM Subcommittee Goals

Goal #6:

Promote consistency in data gathering and reports.

Outcome:

- The subcommittee will collaborate with other CJCC subcommittees to explore areas for developing consistency in data collection while promoting EBDM principles to improve accuracy, increase efficiency, expand accountability, and support better decision-making.

UPDATE 6/14/23:

- In progress