

State Criminal Justice Coordinating Council: Meeting Minutes

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

Tuesday, June 9, 2020 1:00 p.m. – 3:00 p.m.

Virtual Go-To-Webinar Meeting

Members Present:	Attorney General Josh Kaul, Secretary Kevin Carr, Lt. Governor Mandela Barnes, State Public Defender Kelli Thompson, District Attorney John Chisholm, Jorge Fragoso, Joaquin Altoro, Tiana Glenna, Vanessa McDowell, Fran Deisinger, Sheriff David Mahoney, Chief Daniel Hardman, Mark Abeles-Allison, Patti Jo Severson, Holly Audley (for Secretary Andrea Palm, DHS), Hon. Randy Koschnick, Jane Graham Jennings
Members Not Present:	Pamela McGillvray, Hon. James Morrison, District Attorney David O’Leary
DOJ Staff:	Matt Raymer, Renee Lushaj, Heather Kierzek, Lara Kenny
Other Attendees:	Ashley Viste, Tina Virgil, Megan Jones, Connie Kostelac, Derek Veitenheimer, Katy Burke, Jared Hoy, Rhonda Frank-Loron

The meeting was called to order by Attorney General Kaul at 1:04 pm.

APPROVAL OF 2/17/2020 MEETING MINUTES

Motion was made by Mark Abeles-Allison and seconded by Kelli Thompson to approve the 2/17/2020 meeting minutes. The motion was approved.

MARCH 2020 REPORTS

- **Data Sharing Report** – Connie Kostelac
 - Kostelac discussed the recommendations from the March 1 Data Sharing Report, and current focus areas.
 - The Data Sharing/OTIs Subcommittee is working on the Justice Reinvestment Initiative grant action plan to implement funding for state data sharing efforts in support of these focus areas.
- **Treatment Alternatives and Diversion Program Report** – Matt Raymer
 - Raymer reviewed the recommendations from the report.
 - These recommendations will drive the work of the TAD subcommittee moving forward.
 - Co-Chair Kelli Thompson emphasized the importance of getting the report into the hands of policymakers.
 - Mark Abeles-Allison discussed the changes that have happened with local programs since March based on COVID-19. He also emphasized the importance of technical assistance, training, and site visits and how crucial they are to the success of the programs and funding.
- **TAD Outcome Summary and Cost-Benefit Report** – Derek Veitenheimer
 - Veitenheimer discussed the growth of the TAD program in recent years and summarized the 2014-2018 recidivism and cost-benefit analysis report.
 - The limitations of the data were also discussed.

FEDERAL GRANTS UPDATE

- Matt Raymer provided a brief overview of federal grants received by DOJ and currently being applied for in FY20, and how these funds can support the work of the CJCC.

CRITICAL ISSUES DISCUSSION

■ COVID-19 Impacts on the Criminal Justice System

CJCC members discussed the impacts of COVID-19 on their stakeholders and portion of the criminal justice system.

- Department of Corrections
 - Discussed moratorium on new prison admissions and the impact on prison populations. Currently, the population is approximately 21,600, the lowest it has been since 2012.
 - Implemented policies to decrease the spread in facilities, such as wearing masks.
 - 6-8 facilities currently have COVID positive people; widespread testing is happening in all facilities.
 - Visits and outside people coming into the facilities have been modified to limit the spread.
 - Revocation hearings have decreased, and some revocations have been done out-of-custody.
- Local Jail Populations
 - Most services, including work release, have been curtailed across the state.
 - In Dane County, jail population dropped in half, but is now starting to increase again.
 - Positive effects with decreases in the county jail populations and the increase in people being released without cash bail.
- Court & Legal Impacts
 - Jury trials are a concern across the country.
 - Defense Counsel access has also been affected; however, they are working to increase access now.
 - There can be confidentiality concerns when meeting with clients virtually, especially in county jails.
- Other Impacts Noted
 - Department of Health Services has seen only low levels of positive tests in their facilities.
 - The county criminal justice office has moved to virtual visits (case management, treatment court hearings, etc.).
 - Drug testing has been impacted, with the county now utilizing sweat patches instead of in-person testing.

■ Racial Disparities in the Criminal Justice System

CJCC members discussed the impacts of racial disparities in the criminal justice system, and approaches to address these issues moving forward. Discussion topics included:

- Responses have been both at the local and national level.
- Members stressed that it is important to step back and listen to what people are saying.
- Policy reforms need to be broader than those just aimed at law enforcement (system-wide approaches).
- Members emphasized the role mental illness plays in the criminal justice system.
- There is a need to take action now, and the CJCC can be the platform for this change.

The CJCC discussed potential actions/next steps that could be done to start the work to improve racial disparities in the criminal justice system. Discussion included the following:

- The CJCC could help tie systemic reforms to the underlying conditions that have caused the issues.
- The CJCC should be inclusive in collaborating with organizations and hearing all voices and perspectives as we all work to address these issues.
- The CJCC could develop a press release, make a public statement, or write a position paper to state its position on these issues.
- The CJCC should identify policy reforms it can collectively support (e.g. CIT Training, bail reform, community policing, etc.)
- The CJCC needs to be systematic in its approach and not react politically.
- The goal should be to try to influence policymakers and have a broad impact.
- A potential first step identified is to conduct listening sessions to hear concerns and work to develop collective solutions.

NEXT STEPS

- The EBDM subcommittee will be tasked with planning for the logistics of a listening session process.
- The CJCC would like feedback from the EBDM subcommittee on how to move forward with planning and implementing a listening session process.

PUBLIC COMMENT

No public comment.

MOTION TO ADJOURN

Attorney General Kaul made a motion to adjourn, which was seconded by Fran Deisinger. The motion was approved, and the meeting adjourned at 2:58 pm.