



State Criminal Justice Coordinating Council Meeting Minutes

Co-Chairs Attorney General Josh Kaul and
Department of Corrections Secretary Jared Hoy

Wednesday, September 11, 2024, 12:15 p.m. – 2:15 p.m.
Virtual Meeting

Members Present:	Attorney General Josh Kaul, State Public Defender Jennifer Bias, Police Chief James Olson, Jennifer Wakerhauser (DWD Designee), Jane Graham Jennings, Gynger Steele (DHS Designee), Judge Elliott Levine, Patti Jo Severson, Sheriff Curtis Fell, Shelby McCulley (DCF Designee), Tiana Glenna, Audrey Skwierawski, Mark Abeles-Allison
Members Not Present:	Judge Jo Deen Lowe, Judge Guy Dutcher, DOC Secretary Jared Hoy, District Attorney John Chisholm, WHEDA Executive Director Elmer Moore, Jr., Mark Gumz
Subcommittee Co-Chairs Present:	Ashley Billig, Connie Kostelac, Sara Benedict, Justice Rebecca Dallet, Kelli Thompson
DOJ Staff:	Ashley Viste, Steve Wagner, Lara Kenny, Ryan Anderson, Mike Austin, Sabrina Gentile, David Rinderle, Phil Zell, Marsha Schiszik, Brad Kelly, Katie Snell, Chris Henning, Brittney Felton, Chris McKinny
Agency Partners and Other Attendees:	Assistant Deputy Secretary Melissa Roberts (DOC), Adam Plotkin (SPD), Heather Kierzek (State Courts), Jason Cram (DHS), Michelle Haese (DHS), Zach Baumgart (DOC)

The meeting was called to order by Attorney General Josh Kaul at 12:15 p.m. Quorum was present.

WELCOME AND OPENING COMMENTS

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

AG Kaul introduced new member State Public Defender Jennifer Bias.

Attorney General Kaul requested a motion to approve the June 12, 2024, CJCC Meeting Minutes.

APPROVAL OF JUNE 12, 2024, MEETING MINUTES

Motion was made by Mark Abeles-Allison and seconded by Judge Elliott Levine to approve the June 12, 2024, meeting minutes.

The motion was approved.

The vote was: 13 Ayes, 0 No

UPDATE FROM SUBCOMMITTEES

RACE EQUITY, INCLUSION, AND ACCESS (REIA) SUBCOMMITTEE

Justice Rebecca Dallet provided updates on Subcommittee goals and objectives. She reported the following:

- The Subcommittee is looking at the issue of juror pay as this can be an impediment to participation by certain populations like self-employed, low-income workers, and individuals that require child or dependent adult care. Wisconsin has not raised the minimum rate of \$16 per day in decades and are falling behind other states who have recognized this issue as an important piece to getting more participation. Co-Chair Judge Jon Richards is leading a working group to start looking at some legislative recommendations to address the issue.
- September is Juror Appreciation Month in Wisconsin. The Subcommittee helped provide feedback to the State Courts who has helped revitalize efforts at the local level on Juror Appreciation Month including updating materials for local efforts and issuing proclamations that help build public awareness of the importance of jury service.
- Educational efforts continue by the Subcommittee. The Subcommittee is working with the Wisconsin Council for the Social Studies, which is a professional organization of social studies educators. The jury service topic has been a well-received by their members. The plan is to present at their annual conference in March 2025 on the importance of highlighting juries and providing lesson plans to help aide that process.
- The Subcommittee continues to work with organizations in Milwaukee who have interest in doing more in-person education with groups to help increase confidence in participation in jury services. They are focused on other projects this year and we hope to reengage with them in 2025.
- The Wisconsin State Bar has reintroduced a supreme court rule petition on allowing for voluntary Continuing Legal Education (CLE) credits for Cultural Competency and Reduction of Bias Training. The Supreme Court is seeking comments by October 7, 2024, and a public hearing will be held at a later date.
- The Subcommittee has started discussions around the plea colloquy process to ensure that all defendants understand what is occurring in the court as we have heard of barriers with certain populations. This will continue to be a discussion at future meetings.
- The Subcommittee continues to work with the Office of State Courts and other state agencies to strengthen inclusion on the Master Jury List. Our efforts to date have allowed for the Department of Transportation to include state identification cards which increased inclusiveness from 84.6% to 92.3% in Dane County and 78.7% to 96.5% in Milwaukee County. We will continue monitoring the impact in the year ahead and considering if there is needed legislative changes to allow for more lists like unemployment or tax records.

TREATMENT ALTERNATIVES AND DIVERSION (TAD) SUBCOMMITTEE

Co – Chair Sara Benedict provided updates on Subcommittee goals and objectives. She reported the following:

- BJIA staff presented the plan for the 5-year TAD Evaluation and an overview on the TAD Dashboard to the Subcommittee at the August meeting.

- The TAD Pre-application process has been completed and the 2025 TAD Grant Application is scheduled to release on September 16, 2024. The application due date is October 21, 2024.
- Subcommittee members continue to work on diversion performance and outcome measures. The workgroup has met several times to review calculations.
- Subcommittee members are discussing the funding policy for DOJ and are making progress.

DOJ staff member, Marsha Schiszik, provided additional information related to the TAD Subcommittee goals and objectives. She reported the following:

- The Sequential Intercept Model (SIMs) training for staff at State Courts, DOJ, and several local staff is scheduled for October 15-16, 2024, in Madison.
- For the State Crisis Intervention Program (SCIP), all FY23 subgrant opportunities have been opened; three are currently accepting applications, so please continue to push SCIP information with your counties:
 - County/Tribe-led suicide prevention and harm reduction – open to all counties and tribes
 - Mental health training – open to all counties, municipalities, and tribes
 - Violence intervention programming – open to 16 counties with highest violent crime rates
- FY24 SCIP application was submitted in July. Staff will be using the results of existing SCIP-funded research projects as well as feedback from applicants and stakeholders to expand SCIP in FY24.

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

Co – Chairs Connie Kostelac and Ashley Billig provided updates on Subcommittee goals and objectives. Kostelac reported the following:

- The Subcommittee continues to address and identify potential ways to obtain data sources and address data gaps. Subcommittee members presented at several discipline specific trainings including the Wisconsin District Attorneys Association and the Badger State Sheriffs Association.
- The BJIA TAD public facing dashboard is available and this subcommittee would like to remind all other subcommittees that they are available to help with any data related activities.
- The Subcommittee, the Justice Reinvestment Initiative (JRI) warehouse steering committee workgroups, and Justice Counts workgroup have been providing input into the development of various documents for these projects. This includes drafts of a Memorandum of Understanding (MOU) Source to Warehouse, Warehouse Operating Rules, and Data Use Agreement (DUA) for Warehouse Users.
- The Subcommittee is still discussing metadata and internal request processing along with various data projects at each agency
- The Subcommittee hoped to have a new version of the demographic information report at September meeting but will be at next meeting instead.

DOJ Staff David Rinderle and Co-Chair Ashley Billig presented on the JRI Project. This project is a federally funded project allowing DOJ to expand upon a previous pilot project and the focus is building a data warehouse for research and statistical projects. The Department of Corrections and Wisconsin Director of State Courts are partners on the grant. The grant is ending September 30, 2024. The primary goals are:

- Goal 1: Create an infrastructure for continuous, automated ingestion of data
- Goal 2: Designed to scale, allowing for the integration of new data sources in the future

An overview of the warehouse structure, including foundation data sources (criminal history, court data, and prison admission data) was discussed along with examples of potential future growth with examples of research questions and indicators that are not currently able to be answered given the siloed nature of criminal justice data, but will be able to answer when the warehouse is completed. Currently, the design of the warehouse is finished, the architecture is in place, and the arrest and court data are all loaded, with mechanisms currently in place to refresh those datasets automatically. The group will continue working together towards integrating other sources and finalizing performance indicators that are of most interest.

EVIDENCE BASED DECISION MAKING (EBDM) SUBCOMMITTEE

DOJ staff member, Brad Kelly, provided information related to the EBDM Subcommittee goals and objectives. He reported the following:

- The 2024 Deflection Performance Measures Guide was completed and approved by the EBDM Subcommittee.
- The Wisconsin Deflection Initiative Essential Elements have been finalized and can be found on the WI CJCC website
- The first in person COSSUP meeting will be held in Wausau on September 19, 2024.
- Four of the seven medication assisted treatment programs have been sustained with JAG funding. Additionally, five deflection programs will be sustained. Collaboration with DHS continues to expand deflection programs across the state.
- DOJ applied for COSSUP 2024 with an emphasis on creating ten more deflection sites, an emphasis on technology, data collection, and evaluation.

Following the subcommittee updates, members of the committee discussed the Supreme Court rule petition on allowing for voluntary Continuing Legal Education (CLE) credits for Cultural Competency and Reduction of Bias Training and if the CJCC would be willing to submit a letter regarding their stance on the topic. An additional CJCC meeting will be scheduled to allow for discussion and to allow for public notification. DOJ staff will follow up with scheduling.

STATE CRIMINAL JUSTICE DATA ASSESSMENT OVERVIEW

Presentation by Wisconsin Policy Forum – Jason Stein, President and Ari Brown, Senior Research Associate

Jason Stein provided background information about the Wisconsin Policy Forum. He reported it is a nonpartisan, nonprofit state and local policy research organization founded in 1913. They publish independent and contracted research on a wide range of topics and are supported by 300+ member organizations and individuals. Stein discussed a review of the recently released report titled “Under Pressure – The Milwaukee County Justice System’s Recovery from Covid-19.” The report looked at Milwaukee’s criminal justice system pre, during, and post-pandemic, arrest trends in Milwaukee County, Milwaukee County’s juvenile justice system pre, during, and post-pandemic, and CJs in Milwaukee and peer counties nationally. This review was completed through a grant from the Public Welfare Foundation. Overall, the goal is to complete a criminal justice landscape review that aims to describe and examine individual components of Wisconsin’s justice system (law enforcement, prosecutors, public defenders, courts, corrections) including analysis of available data and trends, compare Wisconsin with other states where possible, and explore racial disparities in Wisconsin’s criminal justice system. There will be two specific elements considered. Those

elements include looking at why does Wisconsin have such large racial disparities within its justice system and a review of recent major state legislation and policy changes and their impact on the criminal justice landscape such as changes around revocation. There will be a report available at some point however this is a large-scale project and will take time. Lastly, Stein indicated that Wisconsin Policy Forum is forming a committee to help guide research. They are looking at members from State agencies like DOJ, DOC, Court System, state-level organizations like the DA's Association, Public Defenders, Sheriff's Association, Chiefs of Police Association, WI Community Services, academia members possibly from UW-Milwaukee or Marquette, Milwaukee stakeholders, formerly incarcerated persons, and research organizations like Kids Forward and Badger Institute.

MILWAUKEE SECURE DETENTION FACILITY OPIOID USE DISORDER (OUD) RECOVERY PROGRAM

Presentation by Bonnie MacRitchie, DOC Opioids Initiatives Director

Bonnie MacRitchie presented on the Opioid Use Disorder (OUD) Recovery Program at the Milwaukee Secure Detention Facility (MSDF). She provided demographic information for those detained at MSDF and why the DOC opted to have the program implemented at MSDF. MacRitchie discussed the goals of the program which include increasing access to medication for those with OUD incarcerated at MSDF, reducing overdoses for those with OUD released from MSDF, and increasing the knowledge base and mitigation strategies for Milwaukee DOC staff. MacRitchie shared the planning process used to implement the program including establishing workgroups, participation in weekly meetings, staffing training, and securing funding. MacRitchie explained the components of the program which include screening and assessment, medication and recovery support services, and community referral and peer support. This is completed through comprehensive case management. Some early outcomes from February 1, 2024, to August 23, 2024, include:

- 300+ meetings with OUD Recovery Program-dedicated Treatment Specialist
- 33 patients continue medication
- 35 initiated on medication with 40+ in process
- 16 interested in recovery support resources (not medication)

Recovery support resources have included:

- Counseling and coaching, assistance with insurance
- Peer support and Milwaukee County Community Access to Recovery Services (CARS) program referrals

MacRitchie discussed next steps for the program which include continuing initiation of medication, securing a dedicated certified peer support specialist, and participating in outreach and referrals to community providers and opioid treatment programs. She also shared next steps for DOC regarding access to medication OUD that includes expanding to another site for women, statewide expansion within county jails, and technical assistance with Substance Abuse and Mental Health Services Administration (SAMHSA).

AGENCY GRANT AND TRAINING INITIATIVES

Leilani Nino, DHS Criminal Justice Coordinator, provided an update from DHS. She indicated that under the Division of Care and Treatment Services, DHS is handling the distribution of the state's amount from the national litigations against the pharmaceutical industry. DHS oversees and

manages the projects approved by the Legislature's Joint Finance Committee. Nino shared that the state is receiving 30% of the \$750 million and local governments are receiving 70%. This funding will be received through year 2038.

The following is a summary of funds allocated in year 1 with DHS funds:

- \$3 million was awarded, and all law enforcement agencies were eligible to apply.
- \$1 million was allocated to agencies in counties or municipalities with a population of 70,000 or fewer residents.
- \$3 million was awarded to 17 law enforcement agencies throughout the state.
 - Seven agencies purchased drug drop boxes and/or drug deactivation units.
 - Seven agencies provided medication-assisted treatment education and training to staff.
 - Six jails provided treatment to residents with an opioid use disorder using all forms of medication for opioid use disorder.
 - Seven agencies supported pre-arrest and pre-arraignment deflection (partnered with DOJ and began the Wisconsin Deflection Initiative) going from five deflection sites to twelve.

For Year 2 of DHS funds, the request for applications was closed September 6 and will include:

- \$3 million being awarded to law enforcement agencies.
- \$1 million reserved for law enforcement agencies serving counties, municipalities, or areas with 70,000 or fewer people.
- All law enforcement agencies were eligible to apply for funding for the specific strategies identified above.
- Numerous applications have already been received.

Nino shared the following story from one captain from the first year of funds.

"Our first participant enrollee reported feeling more hopeful about their future and ability to maintain sobriety. They shared that it meant a lot to them to have time to focus on their recovery goals while incarcerated so they felt they would have a "head start" when returning to the community. They also reported they may have been less likely to have absconded from supervision following their relapse had they known they would have gotten the level of assistance and treatment in the jail that was offered them during this period of incarceration. Following the initial enrollment into the program, interest, and enthusiasm among other incarcerated individuals in our jail have grown and will be notable during the next reporting period. While stigma and bias continue to negatively influence staff members and incarcerated individuals alike, jail uniformed staff are also beginning to exhibit buy-in as they gain knowledge about MAT and are seeing the positive impact it has had on our participants."

Ryan Anderson, DOJ Criminal Justice Programs Supervisor, provided an update on state and federal grant programs.

- Residential Substance Abuse and Treatment (RSAT) Federal solicitation has been released; the Federal Fiscal Year 2024 funding has not been determined.
- State Crisis Intervention Program (SCIP) Federal Fiscal Year 2024 is \$2,392,048.

- TAD Calendar Year 2025 is \$10,688,900 with applications opening on September 16, 2024. Applications due date is October 21, 2024.
- Comprehensive Opioid, Stimulant, and Substance Use Program (COSSUP) DOJ is currently waiting to hear if WI DOJ will be awarded the grant. The budget request is \$7,000,000.
- DOJ staff are working on the FY24 Justice Assistance Grant (JAG) application. Formula amount is \$2,912,954. BJP will continue to fund: Drug Task Forces, Wisconsin Deflection Initiative, Pretrial, CJCC Support, Training and Outreach, and the Drug Takeback Initiative.

Training update: In 2025, BJP with State Courts will be conducting eight regional trainings. There will be four treatment court standards trainings and four diversion program standards trainings.

PUBLIC COMMENT

Members of the public were invited to address the Committee. There was no public comment.

Attorney General Kaul requested a motion to adjourn the meeting.

ADJOURN

Motion was made by Tiana Glenna and seconded by Chief James Olson to adjourn the meeting.

The motion was approved.

The vote was 13 – 0.

The meeting was adjourned at 1:48 p.m.