



# State Criminal Justice Coordinating Council Meeting Minutes

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

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Wednesday, September 13, 2023, 1:00 p.m. – 3:00 p.m.  
Virtual Meeting

<b>Members Present:</b>	Attorney General Josh Kaul, State Public Defender Kelli Thompson, Judge Jo Deen Lowe, Mark Abeles-Allison, District Attorney John Chisholm, Chief Daniel Hardman, Jennifer Wakerhauser (DWD Designee), Jane Graham Jennings, Holly Audley (DHS Designee), Fran Deisinger, Judge Gwendolyn Topping, Tianna Glenna
<b>Members Not Present:</b>	Judge Jennifer Dorow, Judge Elliott Levine, Emilie Amundson, Vanessa McDowell, Judge Randy Koschnick, DOC Assistant Deputy Secretary Melissa Roberts (designee for Secretary Kevin Carr), Patti Jo Severson
<b>DOJ Staff:</b>	Mark Rather, 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 Schizik, Chris Henning, Danielle Long, Brad Kelly, Kerrie Fanning, Christine Schulz, Katheryn Snell, Shannon Ladwig
<b>Other Attendees:</b>	Adam Plotkin, Constance Kostelac, Heather Kierzek, Hilary (HJ) Waukau, Sara Benedict, Ann Olson, Wendy Henderson, Ann McCullough, Judge Audrey Skwierawski, Zach Baumgart, Judge Dutcher, Terri deRoos Cassini

The meeting was called to order by Attorney General Josh Kaul at 1:04 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 introduced Judge Audrey Skwierawski as Director of State Courts and notified the council that State Public Defender Kelli Thompson will be stepping down from her position.

Attorney General Kaul also introduced Mark Rather as the new Deputy Administrator for the Division of Law Enforcement Services at the Wisconsin Department of Justice.

Attorney General Kaul requested a motion to approve the June 14, 2023, CJCC Meeting Minutes.

## APPROVAL OF JUNE 14, 2023, MEETING MINUTES

Motion was made by Mark Abeles-Allison and seconded by State Public Defender Kelli Thompson to approve the June 14, 2023, meeting minutes.

The motion was approved.  
The vote was: 12 Ayes, 0 No

## UPDATE FROM SUBCOMMITTEES

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### RACE EQUITY, INCLUSION, AND ACCESS (REIA) SUBCOMMITTEE

Co – Chair Associate Judge Gwendolyn Topping reported the REIA Subcommittee goals to the Council. Progress is being made on the barriers to inclusion in jury duty. One issue is that not everyone has a state driver's license. If you have a driver's license, you can use that to register to vote. The Subcommittee is aware of stigma of jury duty and wants to encourage jury participation as part of civic duty. People do not always understand what excludes them from being eligible to serve in jury duty and there may be an embarrassment of having to admit to things in their past.

Topping reported progress on the other goals of updating the master juror list, having the ability for more people to participate, the opportunity for minorities to have a jury of their peers, and improving the juror questionnaire.

The Subcommittee would also like to increase educational opportunities in the criminal justice system.

### TREATMENT ALTERNATIVES AND DIVERSION (TAD) SUBCOMMITTEE

Co – Chair Sara Benedict reported the TAD Subcommittee goals to the Council. The first goal is to review and analyze TAD legislation. The Governor signed the budget in July which includes an increase to the TAD grant program of \$1 million for 2025. DOJ Staff is reviewing legislative proposals regarding who is statutorily eligible for TAD and to reduce some of the violent qualifiers.

The second goal is the Subcommittee assisting DOJ Staff with identifying grant opportunities and sources of funding to help cover local costs for treatment, support, and services. DOJ TAD staff are looking at state and federal funding level and sharing the information with stakeholders and pilot sites.

The third goal is the Subcommittee assisting DOJ with facilitating training and technical assistance to TAD grantees, especially the newer programs. Survey results will be finalized and shared with the Subcommittee. DOJ Staff is trying to match the expertise we have in the Subcommittee to help local sites in their individual programs.

The fourth goal of the Subcommittee is to serve as an advisory body and to guide the administration of the new State Crisis Intervention Program (SCIP) Grant.

The fifth goal of the Subcommittee is to promote the use of data based decision making when looking at policies and procedures to monitor the effectiveness of the program. The Bureau of Justice Programs (BJP) Staff is also working with the Bureau of Justice Information and Analysis (BJIA) Staff on the Comprehensive Outcome, Research and Evaluation For Treatment Courts and Diversion Programs (CORE) dashboard site.

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

Co – Chair Connie Kostelac reported on the Subcommittee goals to the Council. The Subcommittee is working on developing performance indicators that utilize integrated data from multiple systems (DOC, DOJ, CCAP) to demonstrate the analytic value of data integration. The Subcommittee is

working on developing the initial performance indicators with an initial focus on those that tie into JRI19 (Justice Reinvestment Initiative federal grant program), as well as other indicators that cross data sets.

Kostelac commented that the Subcommittee has looked at other entities across the United States, both criminal justice and non-criminal justice agencies, that have success in data sharing. As we implement JRI19, it is important to understand changing technology and different approaches and tools utilized to make access available once data sources are combined and shared. There have been a few resources identified for follow up from other states and organizations that are focused on data sharing. Chris Henning and Ashley Billig have volunteered to assist with this priority.

The Subcommittee continues to identify and make recommendations to address data gaps. Certain aspects of Justice Counts will touch on this, but the Subcommittee needs to think about some of the other needs and gaps during the second half of the calendar year. Kostelac shared that there is not a centralized location for jail data. Some time ago there had been an effort to explore the possibility of obtaining jail data that is already standardized from the company that handles data for the VINE (victim notification network) program, but this encountered an unexpected challenge. The Subcommittee discussion indicated this is an important data gap.

Kostelac commented the Subcommittee is looking at getting access to jail data including movement of people in and out, time in custody, types of charges and racial and ethnic diversity.

The Subcommittee continues to support the CJCC in addressing data analysis needs. The Subcommittee is currently supporting the JRI and Justice Counts initiatives. The Subcommittee will continue to engage the other Subcommittees and the CJCC to reach out for assistance with specific data needs.

Kostelac commented that the JRI19 project combines data from DOC, DOJ and the Office of State Courts. Justice Counts is an additional grant opportunity that DOJ applied for in partnership with the Subcommittee. This is a national effort that is intended to have some standardization of data collection across different entities within the criminal justice system and understanding of how the system functions at multiple levels. It was awarded to DOJ as a three-year project that will run through September of 2025.

The project was structured to be guided and governed by the Subcommittee. We are working collaboratively across all the entities that are part of the Subcommittee. There are two different tiers of metrics that are associated with Justice Counts. The first tier is those that have already been identified at the national level by a working group. The second tier of metrics are in process.

DOJ is serving as the clearinghouse, and it ties into the JRI19 work. We have a local workgroup that is a subset of the Subcommittee that has been thinking through the decisions about which metrics are most important to the Subcommittee and where and how the data housed within the JRI19 warehouse will be stored.

The Subcommittee is considering the following:

- Will it be separate, or will it be combined in with the JRI19 warehouse?
- How will the data be linked with other sources and under what circumstances?
- The Subcommittee is also looking at data use agreements regarding the level of access to data.

The Subcommittee continues to promote consistency in data collection.

### EVIDENCE BASED DECISION MAKING (EBDM) SUBCOMMITTEE

Co – Chair and State Public Defender Kelli Thompson reported on the Subcommittee goals to the Council.

The first goal is to expand pretrial to additional jurisdictions which we have been working on for years. This continues to be an area of interest for many counties. The Subcommittee has recommended to DOJ to continue funding the existing pretrial sites but not to expand grant opportunities until data has been collected and analyzed. EBDM Co – Chair Tiana Glenna continues to be a subject matter expert and resource for other counties who are interested in the program.

The second goal is promoting EBDM systems mapping and the creation and maintenance of local CJCCs. Local CJCCs and local coordinators share their ideas and initiatives with the Subcommittee. Heather Kierzek, Office of State Courts, has hosted multiple local CJCC coordinating meetings where local CJCCs and local coordinators share their ideas and initiatives. Kierzek and DOJ Staff report back to the Subcommittee. The meetings provide feedback on how to best support local CJCC coordinators.

To help provide support to local CJCCs, \$100,000 has been allocated in the JAG23 grant application for a training program and outreach campaign for CJCCs.

The third goal is to build and sponsor an EBDM Summit, potentially in 2024. \$100,000 has been allocated in the JAG23 grant application for a training program and outreach campaign for CJCCs, as mentioned in the previous goal.

The fourth goal is to coordinate with the TAD Subcommittee and DOJ staff to help provide and facilitate EBDM relevant training and technical assistance to agencies with EBDM and TAD related programs. The results of the justice participation survey were analyzed and presented at the EBDM Subcommittee meeting on July 27, 2023. DOJ Staff and partners should develop a plan that will be modest and cognizant of the need to pay vendors to improve the low participation rate. The lack of responses indicates a lack of time to assist with training and outreach efforts. This suggests the need for training and outreach. This goal will continue to be discussed as DOJ works with others to create a training and outreach plan.

The fifth goal is to reengage in efforts to use EBDM framework to discuss a wide range of difficult topics. DOJ is awaiting funding news for the Comprehensive Opioid, Stimulant, and Substance Use Program (COSSAP) grant, which would continue to build the Wisconsin Deflection Initiative.

The sixth goal is to promote consistency in data gathering and reports. This goal is ongoing.

An overview of the CJCC Subcommittee goals is included in Appendix A to the minutes.

## LEGISLATIVE AND STATE AGENCY BUDGET UPDATES

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### DEPARTMENT OF HEALTH SERVICES (DHS)

DHS Legislative Director HJ Waukau reported on the Governor's Budget proposals and what was included in the Budget passed by the legislature.

- \$10 million would be appropriated for the Crisis Now bill. This would be crisis and urgent care observation centers for emergency detentions outside of a hospital setting. Law enforcement can drop individuals off to receive treatment and coordination of care. This would provide a pressure release valve for burdens on the mental health care systems in terms of hospitals and emergency rooms.
- 988 Suicide Prevention Hotline for mental health was not carried forward by the Joint Finance Committee (JFC).
- Funding for Residential Substance Use Disorder (RSUD) room and board. Medicaid covers treatment but it does not cover room and board so it has to be covered either with grant funds or with GPR. Asked for \$16.6 million in the Governor's budget. JFC did not put funding toward this provision however they did allocate \$2 million from the opioid settlement toward RSUD funding which continues the current \$2 million in funding.
- JFC appropriated a little over \$1 million for the Mendota Juvenile Treatment Center (MJTC). However, they did not carry over any of the FTEs for the MJTC expansion.
- \$2 million telehealth crisis fund put forward to connect individuals in crisis with telehealth.
- Expansion of intensive treatment program for \$5.9 million.
- Re-estimate for comprehensive community services for \$8.4 million.
- \$8 million in opioid settlement dollars available to be expended. DHS put forward a proposal for \$4 million for Narcan and fentanyl test strips. \$3 million for capital projects and \$1 million for prevention for K-12 substance use disorder prevention programs. JFC put forward \$2.9 million for Narcan, \$2.9 million for fentanyl test strips, \$2 million for MAT grants, \$300,000 for a substance use disorder platform that currently connects people with OTPs. \$300,000 for Surgical Collaborative of Wisconsin.

## DEPARTMENT OF JUSTICE (DOJ)

DOJ Government Affairs Director Chris McKinny reported the DOJ budget that was approved by JFC. In the budget process, one of the top priorities was trying to obtain long-term funding for the Office of School Safety. Unfortunately, we were unable to secure funding for this. We are continuing to work on this. School districts across the state rely on services that the Office of School Safety provides including the Speak Up, Speak Out tipline. We were able to provide some unallocated ARPA funding to extend the services of the Office of School Safety through the 2024 school year, but this is only a short-term solution. We are looking to find long-term sustainable funding for the Office of School Safety.

The second item that we are monitoring is a proposed constitutional amendment which creates a legislative approval process for federal funding that flows through the state and can be appropriated by the Governor. This was drafted in response to the influx of funding that came into the state as a result of the COVID-19 pandemic. The language of the proposed amendments is not clear whether or not it only applies to the governor or if it applies to all executive agencies. DOJ receives a lot of federal funding that we administer for a lot of our partners in the criminal justice system, and it is a concern for us that

involving the legislature and that process would add another level of uncertainty for that funding. It is something that we have been monitoring and will continue to monitor as it moves throughout the legislative process.

#### DEPARTMENT OF CORRECTIONS (DOC)

No updates.

#### STATE PUBLIC DEFENDER'S OFFICE

State Public Defender's Office Legislative Liaison Adam Plotkin updated the Council. We have seen positive results regarding hiring, recruitment, and increased number of private bar attorneys being certified at the higher rate due to the increases that were approved in the state budget.

Three bills were introduced which address workload issues affecting public defenders and prosecutors. One of the bills creates a work opportunity program which is essentially work release for people who are incarcerated in the state prison system as they are getting close to their release date. Another bill is to allow DOJ Staff to be loaned to district attorney offices to help with cases in the individual county jurisdiction. The third bill would create an index of discovery similar to what the federal system uses. The federal system uses a numbering convention that the United States attorneys, federal defenders, and criminal defense attorneys in the federal courts all use similarly to make sure they are working from the same document. The intent of this bill is to create something similar on the state level. Plotkin indicated they will continue to monitor the bills during the session.

#### DEPARTMENT OF WORKFORCE DEVELOPMENT (DWD)

No updates.

#### WISCONSIN COMMUNITY SAFETY FUND AND INJURY PREVENTION PRESENTATION

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Connie Kostelac from the Medical College of Wisconsin (MCW), along with Terri deRoos Cassini, Executive Director of the Comprehensive Injury Center (CIC) at MCW and Ann McCullough, Project Manager with CIC updated the subcommittee. The CIC has a broad vision of working toward a healthier and safer community for all. The CIC mission is to make sure that they are engaging campus and community partners in advancing injury prevention and control science. The CIC focus is on specific areas such as suicide, violence, and a variety of related areas. This has never been more important because Milwaukee had nearly twice the number of homicides in 2020 than in 2019. There was a 65% increase in homicides statewide during that two year period and homicides have not yet returned to pre-pandemic levels. Aggravated assaults including non-fatal shootings also had a notable increase. The focus is on injury prevention, community safety, and violence prevention which is grounded in things that are happening across the state right now.

The MCW WI Community Safety Fund and Injury CJCC Presentation is included in Appendix A to the minutes.

#### NIC NATIONAL STANDARDS FOR CRIMINAL JUSTICE COORDINATING COUNCILS

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Lara Kenny, Bureau of Justice Programs (BJP) Director, reported to the Council on the National Institute of Corrections (NIC) National Standards for CJCCs. This Spring, NIC released standards for local criminal justice coordinating councils for the first time. The State CJCC and Subcommittees were interested to see how the State CJCC operates related to those standards.

The thirteen standards are focused on four main areas. The first set of standards is about the purpose, organization, and membership of the CJCC. The next standards are related to the structure of the CJCC and its meetings, including subcommittees and work groups. The next standards are related to strategy, data, decision making, and outreach of the body. The final standards are focused on staffing of the CJCC.

BJP Staff did an analysis of the standards and shared with the Council using a PowerPoint with the findings. BJP Staff found that the statewide CJCC is largely aligned with these standards and is meeting the standards. However, there are a few areas that we need to work on to be in full alignment with standards that can be applied at a statewide level.

There are some standards that seem to fit better at a local level and that is noted in the PowerPoint. BJP Staff presented the findings at the CJCC Executive Subcommittee meeting. The Executive Subcommittee was in agreement that the staff can continue to work to improve to come into alignment with the standards. BJP Staff will work on drafting bylaws which will help us address standard number two. BJP Staff will also create an onboarding program for new CJCC members. This would also help the State CJCC to be in alignment with standard three. The last issue is to address membership. BJP Staff will be working closely with the Executive Subcommittee and the other subcommittee co-chairs to look at current membership and vacancies.

BJP Staff will also look at attendance issues for individuals that are not regularly attending CJCC and Subcommittee meetings. Once the bylaws are written it will allow for further action in a more formalized manner to make sure that BJP Staff is working on membership issues in accordance with the standards. The action plan going forward is that staff will be working on these areas in the next couple of months. BJP Staff will return to the Executive Subcommittee for review and approval of bylaws. We hope to have bylaws ready for this group to vote on at the December 2023 meeting.

BJP will be recruiting soon for a new position in the bureau that will assist with this work. In addition, standard eleven is focused on community engagement and outreach. Once we have the structure in place with bylaws, full membership, and an onboarding program, there will be an opportunity to look at standard eleven and build strategy around more advanced levels of community engagement and outreach.

The NIC CJCC Standards Memo is included in Appendix A to the minutes.

## GRANTS UPDATE

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Ryan Anderson, Criminal Justice Programs Supervisor, reported on state and federal grant programs.



BJP received the budget for the TAD grant program which is \$9.6 million and represents a \$1 million increase for calendar year 2025. The TAD funding helps support 60 treatment courts and 30 diversion programs. Currently BJP staff are reviewing applications for the next funding cycle. The application period opens in October and closes in November. The period of performance will be January 1 - December 31, 2024.

BJP and BJIA continue to work on finalizing performance measures for diversion programs with a planned rollout later this year.

The TAD program helps provide evidence-based training opportunities for TAD sites including motivational interviewing, treatment court standards training, and diversion training. Staff has trainings that are scheduled for later this year and next year. Program staff continue to provide technical assistance via site visits, technical assistance visits, phone calls and emails.

DOJ received \$3,397,150 for the federal Justice Assistance Grant (JAG) grant which is roughly a \$268,000 increase from last fiscal year.

- This includes approximately \$1,000,000 for the MEG Units and Drug Task Forces.
- JAG funding also includes approximately \$826,000 for the Wisconsin Deflection Initiative. These funds were included in the JAG budget in case we do not receive COSSAP funding in order to provide support to keep the Wisconsin Deflection Initiative running until we can seek out alternative funding.
- The JAG funding also includes \$800,000 for local pretrial services programming.
- \$150,000 was also included for State CJCC support which will allow us to hire a new position that will coordinate CJCC and the Governor's Juvenile Justice Commission.
- The JAG budget also includes \$125,000 for a training and outreach campaign for CJCC. This funding will allow us to provide support for trainings, a summit, or an outreach campaign.
- \$109,000 was included for a Wisconsin Jail Needs Assessment that BJIA staff will be working on.
- \$9,000 was also included for the Drug Take Back initiatives in addition to our standard administrative 10%.

The grant application is currently posted on the CJCC website for public comment. In addition, we applied for \$7 million in COSSAP grant funding. This will help to fund eight new deflection sites, eight new enhanced MAT sites, supporting the five current deflection sites, coordinating with the Medical College of Wisconsin, 26 OFR sites, and to hire a BJIA research partner. We are still awaiting the status of the award.

The DOJ BJP Grant Updates document is included in Appendix A to the minutes.

## PUBLIC COMMENT

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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

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Motion was made by Tiana Glenna and seconded by Chief Daniel Hardman to adjourn the meeting.

The motion was approved.

The vote was 12 – 0.

The meeting was adjourned at 2:39 p.m.