

State CJCC EBDM Subcommittee: Meeting Minutes
Thursday, September 17, 2020, 10:00am - 12:00pm
Virtual Meeting

Team Chair: David O'Leary, Rock County District Attorney

Vice-Chair: Kelli Thompson, State Public Defender

Team Members Present:	
Senator Janis Ringhand, D-Evansville	Nick Sayner, Executive Director, JusticePoint
Jane Klekamp, Associate County Administrator, La Crosse County (phone)	Matt Raymer, State EBDM Team Coordinator
Greg Peterson, Grand Chute Police Chief	Judge Elliott Levine, La Crosse County
Gary King, District Attorney, Eau Claire County	Linda Palmer, Rep. Schraa Staff
Kelli Thompson, State Public Defender	Tiana Glenna, CJCC Coordinator, Eau Claire County
Silvia Jackson, Reentry Director, DOC	David O'Leary, Rock County DA
Megan Jones, Director of Research and Policy, DOC	Kit Kerschensteiner, Disability Rights WI
Holly Audley, Division of Care and Treatment Services Assistant Administrator, DHS	Sadique Isahaku, Dean of School of Liberal Arts and Sciences, Milwaukee Technical College
Lisa Roys, Public Affairs Director, State Bar	Patti Jo Severson, Mental Health Advocate
Lance Wiersma, Administrator, Division of Community Corrections, DOC	Sarah Diedrick-Kasdorf, Deputy Director of Government Affairs, WI Counties Association
Judge Kelly McKnight, Ashland County	

Team Members Absent:	
Judge Carl Ashley, Milwaukee County	Holly Szablewski, District 1 Court Administrator, Milwaukee County

Additional Present:	
Heather Kierzek, JJ Compliance Manager, DOJ	Adam Plotkin, SPD Legislative Liaison
Renee Lushaj, TAD Program Manager, DOJ	Lara Kenny, Bureau of Justice Programs Director, DOJ
Caroline Kull, Program Manager, DOJ	Rhonda Frank-Loron, Pretrial Manager, Office of Court Operations
Dennis Powers, Program Manager, DOJ	Rose Baier, EBDM Coordinator, Chippewa County
Beth Robinson, EBDM Coordinator, Outagamie County	Rebecca Luczaj, EBDM Coordinator, Waukesha County
Katy Burke, Statewide Problem Solving Court Coordinator, Office of Court Operations	

Meeting was called to order at 10:00am by David O'Leary.

Approval of Minutes

A motion to approve the 6.25.20 minutes was made by Judge Levine and seconded by Sarah Diedrick-Kasdorf. The motion was approved.

Pretrial Pilots Update

1) Implementation Status

- a. Pretrial Manager Rhonda Frank-Loron and local coordinators provided an update on the status of the seven pretrial pilot counties. The sites have agreed to remove bump ups. Implementation has varied across the sites:
 - i. Chippewa County: Fully implemented and operational.
 - ii. Eau Claire County: Currently has soft-launched the PSA. Full implementation scheduled to occur 10.1.20.
 - iii. La Crosse: Fully implemented and operational.
 - iv. Marathon: Soft launch of PSA scheduled for 10.1.20.
 - v. Outagamie: Relaunched PSA 7.22.20 after having to suspend due to COVID and the difficulties of accessing criminal history data remotely.
 - vi. Rock: Launched 7.20.20. Have now realized there were missing pieces (what to do with a violation report, timing, etc.) Now developing policies and fine tuning.
 - vii. Waukesha: Launched 6.15.20. Struggling with capacity issues and a lengthy waitlist.

2) Technical Assistance

- a. CEPP is continuing to provide TA. With CEPP assistance, pilots are continuing to review the Implementation Guide and the Outcomes and Performance Measures documents.
- b. Rhonda and Tiana Glenna will be doing a virtual presentation for the Wisconsin Counties Association on October 12.
- c. Office of Court Operations is working on a survey to determine where pretrial implementation is across the state: <https://www.surveymonkey.com/r/FQC7N5Y>.

3) FY20 Justice Reinvestment Initiative Grant Application

- a. Announcement should be made in next few weeks if DOJ will be awarded this grant.

DOJ Grant Updates

1) Coronavirus Emergency Supplemental Funds

- a. \$9 million in funding was awarded to Wisconsin with \$5 million being available for direct awards
 - i. Phase One is currently open (will award approximately 2/3 of available funds). Applications due by 10.5.20. Those eligible include:
 - i. Counties without a direct award can apply in the following categories:
 - a. Increase COVID safety in courthouses and court operations
 - b. Increase COVID safety in jails
 - c. Increase COVID safety in law enforcement agencies
 - ii. State agencies
 - a. Currently open to State Public Defender's Office, Department of Corrections, and the Department of Justice
 - ii. Additional funding opportunities will open in the near future.

2) Comprehensive Opioid Abuse Program

- a. An update was provided on the 2018 and 2019 COAP grants.
 - i. COAP 2018 (\$1.3 million)
 - i. Overdose Fatality Reviews and data-sharing
 - ii. Improving diversion across the State
 - ii. COAP 2019 (\$5 million)
 - i. Law enforcement diversion
 - ii. Jail-based medication-assisted treatment

Local EBDM Coordinator Discussion

1) Updates from Local Coordinators

- a. Local coordinators provided updates to the Committee regarding the impacts of COVID-19, EBDM updates, and State Support Needs.
 - i. Eau Claire County:
 - a. COVID has resulted in a reduced jail population. Currently looking at data to determine how to continue to have a reduced jail population.
 - b. Guidance from the State on reducing racial and ethnic disparities in the form of training or data would be helpful.
 - c. Pre-charge diversion has been moved completely online.
 - d. Jury trials have not yet resumed and there is a concern over the backlog.
 - ii. Waukesha County:
 - a. Continuing to hold court mostly virtually but have completed 8 jury trials.
 - b. Continued financial support for the pretrial pilot is needed.
 - c. Financial support for diversion efforts will be needed starting in 2022.
 - iii. Outagamie County:
 - a. Continued funding for the pretrial pilot is needed as well as a request for a statewide case management system.
 - b. An effective preventative detention statute is also needed.
 - c. Released Uniform Detention Decision-Making Guidelines a few months before COVID.
 - iv. Chippewa County:
 - a. EBDM has met their change target goals and are looking at setting new goals.
 - b. Working on getting programming back into the jails.
 - v. Rock County:
 - a. Difficulties in specialty courts working with the jail as the jail won't accept anyone for less than 14 days due to COVID.
 - b. Working to reopen the courthouse.
 - c. Pre-charge diversion program has been moved completely online.
 - d. Would like guidance from state on how racial and ethnic disparities can be addressed.
 - i. Discussions difficult due to COVID restrictions.
 - e. Counties have been reaching out to learn about the mental health flag procedure.
 - i. More information can be obtained from Janesville Police Chief David Moore, (moored@ci.janesville.wi.us) or Rock County Human Services Director Kate Luster (katherine.luster@co.rock.wi.us).

- b. The taskforce on racial disparity is looking for citizen members. If interested, email a resume or interest statement to SpeakersTaskForce@legis.wisconsin.gov. Applications are due 9.18.20.

Racial Disparities in the Criminal Justice System Discussion Updates

1) **CJCC Update**

- a. CJCC Co-chairs are still reviewing options. Seem to be leaning towards looking at what local jurisdictions are already doing.

2) **Updates from Members**

- a. WDDA: Looking for common data points to start discussions. Concern that DA's don't know their own data.
- b. WATCP: Starting to look at CORE data to start addressing racial and ethnic disparities in treatment courts.
- c. La Crosse: Push to replace citizen members of the Criminal Justice Council with more diverse membership. Four new members will be added to the Council tonight. Subcommittees have been formed to work on how to be more inclusive of the public, police training, and school resource officers. Discussion on the concern of disparate use of treatment courts, the violent offender exclusion, and the subjective conclusion that a potential participant is a drug dealer increasing racial and ethnic disparities.
- d. Waukesha: Health and Human Services has created a staff team to work on internal issues.

CJCC Subcommittee Updates

1) **Treatment Alternatives and Diversion Subcommittee**

- a. TAD applications closed on Monday. This is the last year of the 5-year cycle. Competitive round will open in 2021 for funding in 2022.
- b. Working on revising the TAD Statute.
- c. Subcommittee plans to shift focus more to diversion programs and finalizing the Wisconsin Diversion Standards.

2) **Data Sharing/OTIs Subcommittee**

- a. Creating a standardized data sharing MOU.
- b. Learning how data is already being shared across the State.
- c. Working to determine how race and ethnic data is collected across agencies and how the data moves through the criminal justice system.

Decision Points/Change Targets Discussion

1) **Review**

- a. Request that Subcommittee members review the change target document in preparation for the next meeting to be able to discuss.

Meeting Recap

Task Description	Responsible Member	Due Date
------------------	--------------------	----------

Review change target document	All Members	Ongoing
Schedule future meetings.	Matt Raymer	Ongoing

Public Comment

- 1) No public comment.

Adjourn

- 1) A motion was made by Jane Klekamp and seconded by Tiana Glenna to adjourn. Motion carried unanimously. Meeting was adjourned at 11:45am.