

# Treatment Alternatives and Diversion Subcommittee | MINUTES

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Meeting date | Time 8/25/2022 12:00 PM | WI Dept of Justice – Virtual via Zoom

Chair Kelli Thompson, State Public Defender

Co-Chair Sara Benedict, Dunn County Criminal Justice Coordinator

Staff Lara Kenny  
Donna Hahn  
Mike Derr  
Brad Kelly  
Marsha Schiszik  
Alesha Hawkins  
Ashley Billig  
Chris McKinny

Members Present  
Kelli Thompson, Sara Benedict, Adam Plotkin, J.C. Moore, Judge Elliott Levine, Heather Kierzek, Holly Audley, Robert Mann, Beth Robinson, Lance Wiersma, Lisa Yeates, Kit Kerschensteiner

Members Absent  
Colleen Clark, Mark Abeles-Allison, Megan Jones, Nick Sayner, Melvin Juette, Judge Jo Deen Lowe, Patti Jo Severson, Kristy Gusse, Tamra Oman, Jessica Skemp

Guests  
Nancy Slattery, Linda Palmer, Mark Wadium, Donna Firman, Rose Stietz

## AGENDA TOPICS

### Welcome and Opening Comments

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The meeting was called to order at 12:05 p.m. Co-Chair State Public Defender Kelli Thompson gave the welcome and opening comments.

### Approval of 5/26/22 Meeting Minutes

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A motion was made by Heather Kierzek seconded by Judge Elliott Levine to approve the 5/26/2022 minutes, approved unanimously.

### Committee Member Updates

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#### WATCP Updates

Commissioner J.C. Moore spoke on the conference in Nashville July 25-28. There were approximately 10-15 attendees from Wisconsin. Training events continue to happen across the state. October 6<sup>th</sup> and 7<sup>th</sup> a training will be held in Pewaukee. September 8<sup>th</sup> and 9<sup>th</sup> in Milwaukee a Veteran Treatment Courts training will be held. The Statewide Treatment Courts training will be held in Wisconsin Dells the first week in May, 2023 at the Kalahari.

#### DHS-Opioid Settlement Update

Holly Audley from DHS gave a brief update on the Opioid Settlement to the subcommittee members. Paul Krupski is in Eau Claire with the Attorney General at the moment at a press conference, so unable to present. Local units of government will receive 70% of the settlement according to Act 57 as it continues to move through Joint Committee on Finance. As of July 28<sup>th</sup> \$6 million was the initial payment received by the state. In this calendar year (2022) \$31 million will be received. On July 28<sup>th</sup> DHS submitted a revised plan to the Joint Committee on Finance. [Revised DHS Opioid settlement Funds Proposal for SFY 2021 \(wisconsin.gov\)](#)

## Legislative Updates

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### Legislative Committee Recommendations-TAD Statute Revisions

Chris McKinny gave an update to the subcommittee. DOJ received the go ahead from the Building Commission to go ahead with the plans for the building of the Milwaukee Crime Lab. This has been in the works for several years.

McKinny also updated the subcommittee on the TAD Statute revisions the TAD Legislative Committee recommends. The recommendations were included in the subcommittee materials, and are listed below:

#### Recommendations:

1. Eliminate the current 25% match requirement under s.165.95(2r). Alternatively, if a match requirement remains in the statute, recommend reducing the amount to 10%.
2. Remove the current language that is inconsistent with current drug testing standards, including the urine collection requirements language under s. 165.95(5m).
3. Streamline the current reporting requirements contained under s. 165.95(5p). This includes: requiring DOJ to complete progress reports every 2 years instead of annually under paragraph 1; and eliminating paragraph 2.
4. Add language explicitly allowing TAD grantees to carry over grant funds into the next calendar year.
5. Add language defining and describing “evidence based practices” throughout the statute that conforms with current research. Note: These changes would inherently provide DOJ and CJCC greater latitude in evaluating TAD grant applications.
6. Revise the ‘funding cycles’ section – s. 165.95(7m) – by stating that DOJ shall, every 2 years, make TAD grants available to counties and tribes based on a methodology to be determined by DOJ in consultation with CJCC. Strike out the “on the competitive basis” phrase. Alternatively, support language requiring DOJ to make grants available every 4 years.
7. Eliminate the current s. 165.95(3)(a) language that defines/restricts persons who are eligible to be served under a TAD-funded program.
8. Eliminate the definition of violent offender and the violent offender exclusion currently under s. 165.95(1)(bg). Do not add the revised violent offender definition proposed in 2020, which was based on language from 2015 AB 52. *[Note: The Legislative Committee recommends bringing this recommendation to the CJCC at its December 2022 meeting.]*

## BJIA Updates

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### Staffing and Recruitment

Ashley Billig updated the subcommittee on recruitment for an analyst in BJIA. The TAD position had a failed recruitment, so BJIA/DOJ is still working on that position.

### Presentation – Update on TAD Admissions: 2019-21 Cohorts

Ashley Billig presented the subcommittee with an update on the 2019-21 TAD Admissions data. She noted that 2021 saw an increase in the percentage of self-referrals into TAD programs. There is a PowerPoint presentation if any subcommittee member would like it.

## **BJP Updates**

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### **Staffing and Recruitment**

Lara Kenny updated the subcommittee on staffing and recruitment for Bureau of Justice Programs. Lara is working with HR on the recruitment for the Criminal Justice Supervisor at this time.

### **Overview on '23 TAD Pre-applications and Timeline**

Mike Derr gave an overview to the subcommittee members on the TAD Pre-applications and Timeline. There is an additional \$2.5 million of new funds this year. Mike had supplied the subcommittee members with a document for their review. Pre-applications were received from the 56 existing TAD grantees and from 5 new sites. Total amount of requested grant funds totaled just over \$10 million, versus \$9,688,900 in available funds.

### **Upcoming Meetings**

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- Race Equity, Inclusion, and Access – 9/1/2022
- State Criminal Justice Coordinating Council 9/14/2022
- EBDM Subcommittee 9/22/2022
- Data Sharing/OTIs Subcommittee 10/18/2022

### **Action Items/Next Steps & Future Meeting Topics**

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- TAD Items, including results of the '23 TAD grant application process
- Numbers Ashley Billig provided, discussion on steps to take with this data
- Diversity considerations
- Opioid Settlement Funds Update

If any other subcommittee members have action items or future meeting topics, please send them to Lara Kenny or Mike Derr.

### **Next Meeting Date**

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- 11/17/2022 (12:00 p.m. – 2:00 p.m.)

### **Public Comment**

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Rose Stietz from Milwaukee spoke to the subcommittee regarding African American individuals not being involved as much in the TAD program as they should be. Can DOJ or the subcommittee delve into the numbers and find out why they aren't participating. In response, Kelli Thompson asked whether Ashley Billig could provide relevant information or data at the next meeting?

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A motion was made by Sara Benedict seconded by Heather Kierzek to adjourn the meeting. Meeting adjourned at 1:06pm.