

Treatment Alternatives and Diversion Subcommittee | MINUTES

Meeting date | Time 8/26/2021 12:00 PM | WI Dept of Justice – Virtual via Zoom

Chair Kelli Thompson, State Public Defender

Staff Lara Kenny
Matt Raymer
Mike Derr
Katie Hawkins
Alesha Hawkins
Sabrina Gentile
Brad Kelly
Chris McKinny

Members Present

Kelli Thompson, Mark Abeles-Allison, Sara Benedict, Chloe Moore, Tamra Oman, Adam Plotkin, Jessica Skemp, Lance Wiersma, Lisa Yeates, J.C. Moore, Heather Kierzek, Holly Audley, Megan Jones, Patti Jo Severson, Judge Elliott Levine, Kit Kerschensteiner,

Members Absent

Colleen Clark, Jane Graham-Jennings, Kristy Gusse, Judge Jo Deen Lowe, Rebecca Main, Robert Mann, Beth Robinson, Nick Sayner, Lt. Colonel David Dames Whitehorse Klauser, David Mahoney

Guests

Melvin Juette, Vaughn Brandt, Linda Palmer

AGENDA TOPICS

Welcome and Opening Comments

The meeting was called to order at 12:03 p.m. Chair Kelli Thompson gave the welcome and opening comments.

A motion to approve the 5/25/2021 minutes were approved unanimously.

Updates

Commissioner J.C. Moore shared highlights of the upcoming WATCP State Coordinators Conference to be held in Green Bay from October 5th through 7th. Topics will include Tribal healing and wellness; equity and inclusion in the criminal justice system, drug treatment coordinator roles, tribal-state collaboration, coping with the death of participants, and multiple tracks within a treatment court program. Two speakers will be in person, the others will present virtually. Fifty persons have enrolled, including 35 to attend in person.

Chair Thompson described the major focus and new action steps of the new State CJCC Race Equity, Inclusion and Access Subcommittee. Matt Raymer added that the subcommittee will meet monthly, and that the work of the other subcommittees will feed into this unit's work.

Adam Plotkin gave WATCP Legislative Affairs Committee update, noted that the passage of 2018 Act 118 lead to some unintended consequences on OWI courts, limiting their sentencing discretion. He and guest Linda Palmer walked through a preliminary draft of legislation proposed by Rep. Michael Schraa that would provide courts the option to place an OWI fifth or sixth offender on probation, which must include confinement of six months or more. Bill proponents are seeking a Senator to also lead the bill.

Mark Abeles-Allison asked that the Subcommittee check for any updates after the Bayfield County Sheriff gave a presentation several months ago on Sentencing and Treatment Courts.

Holly Audley noted that DHS has awarded "Hub & Spoke Model grants to three providers to initiate pilot projects. She introduced guest presenter Vaughn Brandt of DHS, who has a primary leadership role in the implementation

of those grant projects. Audley also highlighted DHS' budget proposals, including proposed rate increases for opioid use disorder treatment and other AODA services, and a \$10 million Crisis Response grant that will fund crisis intervention training for law enforcement. She also noted that federal SABG Supplemental grant funds will be used to cover services that were not included in the 2021-23 state GPR budget. Finally, Audley noted that room and board costs for Medicaid-funded AODA residential treatment services will be covered with funds from the lawsuit settlement with opioid manufacturers.

Vaughn Brandt introduced himself and shared a PowerPoint presentation on the grant program, known also as Wisconsin Integrated Recovery Support Services. He gave a history of the program, describing it as a combination of the Hub & Spoke Model and the Medicaid Health Home Services Model. The three selected pilot sites include FHC of Marshfield (serving five northern counties), Oneida Nation Behavioral Health Center (serving three tribes), and Wisconsin Community Services (serving Milwaukee). UW-Milwaukee's Research on Poverty Institute will perform evaluation and research for the program. Brandt responded to various questions and comments from Subcommittee members and will share his presentation slides with participants through DOJ staff.

WI Draft Diversion Standards Update

Matt Raymer noted that these standards will align nicely with the Wisconsin Treatment Court Standards. The draft Diversion Standards are now posted on websites for review and use. The CJCC will be asked to approve these standards at its September meeting.

State Budget and Legislative Update

Adam Plotkin confirmed that under the 2021-23 state budget, an additional \$2.5 million will be available for TAD grant awards covering CY 2023, though this increase doesn't occur until year two of the five-year grant cycle. Chris McKinny stated that the legislature did not approve DOJ's request for additional TAD program staffing, nor the request to modify the TAD statute to eliminate or reduce the required local match and to eliminate the restriction that TAD programs serve persons with substance use disorder treatment needs. McKinny then discussed next possible steps for obtaining those requested changes. Options include: (1) pursuing approval of stand-alone legislation; and (2) incorporating these changes in the next DOJ biennial budget proposal.

Plotkin and Linda Palmer talked further about the proposed legislation (noted earlier in these minutes) impacting OWI courts. Judge Levine suggested that placing a participant in an OWI Treatment Court program should qualify as the "best public interest" for purposes of justifying a sentence shorter than prison, per the proposed bill. Plotkin, Palmer and McKinny are all contacts for sharing comments on the legislation.

TAD Program Update

Matt Raymer summarized the current status of the process for soliciting applications for CY 2022 TAD grant awards. The DOJ solicitation has just been posted and sent out to stakeholders across the state. The total amount of TAD funds is the same as in 2021, plus staff anticipate several new sites applying for funds, so funding decisions will be more difficult. DOJ will again employ a 100-point proposal review scoring scale and convene a rating panel comprised of representatives from DOJ, DOC, DHS, the Public Defender, and other agencies. Raymer clarified that a county or tribe receiving an award for 2022 could potentially receive a higher award amount for 2023.

Finally, Raymer noted that two new staff with the Bureau of Justice Programs started in June. Mike Derr introduced himself as the new TAD Program Improvement Specialist, and Brad Kelly introduced himself as the new Opioid Program Improvement Specialist.

Upcoming Meetings

- Evidence-Based Decision Making Subcommittee – Thursday, 9/23/21
- State Criminal Justice Coordinating Council Meeting - Wednesday, 9/8/21
- Next Scheduled TAD Subcommittee Meeting ~ Thursday, 10/28/21 (12:00 p.m.-2:00 p.m.)

Public Comment

- There were no public comments made during the meeting.
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Judge Elliott Levine moved to adjourn the meeting and Patti Jo Severson seconded the motion. Motion carried.
Chair Thompson adjourned the meeting at 1:22 pm

DRAFT