

Treatment Alternatives and Diversion Subcommittee | MINUTES

Meeting date | time 2/25/2021 12:00 PM | WI Dept of Justice – Virtual via Zoom

Co-Chairs

Kelli Thompson, State
Public Defender
David Mahoney, Dane
County Sheriff

Staff

Lara Kenny
Matt Raymer
Reneé Lushaj
Ashley Billig
Donna Hahn
Chris McKinny

Attendees

Kelli Thompson, Dave Mahoney, Mark Abeles-Allison, Sara Benedict, Megan Jones, Judge Elliott Levine, Rebecca Main, Robert Mann, Melvin Juetter, Chloe Moore, Tamra Oman, Adam Plotkin, Beth Robinson, Nick Sayner, Jessica Skemp, Lance Wiersma, Lisa Yeates, Linda Palmer

Guests

Judge John Anderson, Judge Todd Ziegler, Sheriff Paul Susienka, Laura Yarie, Tara Nichols

Absent

Holly Audley, Colleen Clark, Kit Kerschensteiner, Jane Graham-Jennings, Kristy Gusse, Lt. Colonel David James Whitehorse Klauser, Judge Jo Deen Lowe, J.C. Moore, Patti Jo Severson

AGENDA TOPICS

Welcome and Opening Comments

The meeting was called to order at 12:02 p.m. Sheriff Mahoney gave the welcome and opening comments. He announced he will be retiring in May.

A motion to approve the 12/10/2020 minutes was made by Nick Sayner and seconded by Mark Abeles-Allison. The minutes were approved unanimously.

WATCP Updates

- WATCP Equity & Inclusion Committee – Reneé Lushaj & Ashley Billig
 - The Equity and Inclusion Committee is working with Ashley Billig at DOJ to find data-driven solutions as they work with experts and leaders to address the participant inequities in WI's treatment courts. The committee chose nine pilot sites to test the Racial and Ethnic Disparities (RED) tool.
 - The WATCP Annual State conference will be held at the end of April. Ashley Billig will provide data/information for all teams, including sentencing data by county.
 - This data will be shared at a future meeting. BJIA provided the information to the programs. Using this data to talk to the community about these programs is very helpful.
- WATCP Legislative Affairs Committee – Adam Plotkin
 - The Committee is looking at legislation to see where things are currently.
 - The changes to OWI 5th & 6th offenses due to Act 106 has become an issue for sites.
 - The Committee will continue to meet and work on guidance for programs, while also communicating with the legislature regarding intent of the changes and the impact it has had on programs.

State Budget Proposal/Legislative Update

- Proposed TAD Funding Increase – Chris McKinny
 - Three positions were included in DOJ’s budget request.
 - An additional \$15 million for the TAD Program was proposed in the Governor’s budget. The local match requirement was proposed at a reduced level of 10%. Two additional DOJ positions were proposed by the Governor’s office to accompany the increase in funding.
- TAD Statute Revisions
 - Revisions were submitted to the Governor’s office prior to the release of the budget based on the discussions/recommendations from the subcommittee, but many of the suggested changes were not incorporated. DOJ will continue to communicate with the Legislature to revise the TAD Statute with the recommendations from this subcommittee.
- OWI 5th & 6th Offense Legislation
 - Subcommittee members discussed the negative impact this legislation has had on Wisconsin’s OWI treatment courts. The subcommittee discussed next steps for supporting OWI treatment courts in the meantime and additional information that is needed to present the full impact to the Legislature.

Sentencing and Treatment Courts Discussion

- Bayfield County - Judge John Anderson and Sheriff Paul Susienka
 - Judge Anderson and Sheriff Susienka led a discussion regarding DOC and Treatment Courts and how they address violations and custodies.
 - Judge Anderson and Sheriff Susienka presented on an alternative method of oversight and supervision that does not involve DOC.
 - Subcommittee members discussed this proposal and the merits of the idea.

Action Items

- DOJ’s BJIA staff will present Equity & Inclusion data at future subcommittee meeting.
- DOJ Staff and Nick Sayner will organize the Diversion Standards workgroups to meet and bring products back to the subcommittee for discussion and eventual approval of the WI Diversion Standards document.

Upcoming Meetings

- Diversion Standards Workgroup Meeting ~ Monday, 3/1/21
- State Criminal Justice Coordinating Council Meeting ~ Wednesday, 3/3/21
- Next TAD Subcommittee Meeting ~ Thursday, 4/22/21 (12 p.m.-2 p.m.)

Public Comment

There was no public comment.

Co-Chair Thompson ended the meeting at 1:25 p.m.