

# Treatment Alternatives and Diversion Subcommittee | MINUTES

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Meeting date | time 9/23/2020 11:00 AM | WI Dept of Justice – Virtual via Zoom

## Co-Chairs

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

## Staff

Matt Raymer  
Lara Kenny  
Reneé Lushaj  
Heather Kierzek  
Derek Veitenheimer  
Ashley Billig  
Caroline Kull

## Attendees

Kelli Thompson, Dave Mahoney, Sara Benedict, Becci Main, Melvin Juette, JC Moore, Chloe Moore, Adam Plotkin, Jessica Skemp, Colleen Clark, Lance Wiersma, Tamra Oman, Beth Robinson, Megan Jones, Katy Burke, Robert Mann, Patti Jo Severson, Lisa Yeates, Judge Levine

## Absent

DJ Klauser, Holly Audley, Kristy Gusse, Judge Lowe, Mark Abeles-Allison, Jane Graham-Jennings, Kit Kerschensteiner

## AGENDA TOPICS

### Welcome and Approval of Meeting Minutes

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The meeting was called to order at 11:03 a.m. A motion to approve the 8/20/2020 minutes was made by Tamra Oman and seconded by Beth Robinson. The minutes were approved unanimously. Sheriff Mahoney gave the welcome and opening comments.

### WATCP Updates

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JC Moore provided an update on the Wisconsin Association of Treatment Court Professionals (WATCP) upcoming free educational webinar series that is currently scheduled through January 1, 2021 on a biweekly basis. Webinars are listed at [watcp.org](http://watcp.org) and count for continuing education credits for CSW, CLE and LE.

The annual conference will be held April 28-30, 2021 at the Kalahari in Wisconsin Dells, assuming there are no COVID-related issues. The conference is currently in the planning stages.

The WATCP Equity & Inclusion Subcommittee, chaired by Judge Ashley, is continuing to meet to decide on a webinar to provide on equity and inclusion in early 2021.

### TAD Program Update

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- *TAD CY21 Funding Cycle:* An update was provided on the TAD grant cycle. Calendar year 2021 is the last year of the 5-year cycle. Applications are due in September and will be awarded by the end of the year.
- *TAD Staffing:* Heather Kierzek has taken a different position in DOJ as the Juvenile Justice Compliance Manager. Her prior role of TAD Program Improvement Specialist will not be posted at this time due to budget constraints.
- *TAD Statute Update:* Revisions to the TAD Statute have been moved forward, along with the agency's state budget requests. A brief overview of the budget process was provided.

## TAD Subcommittee Focus

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Subcommittee discussed the progress on the TAD 2020 Report recommendations. The *TAD Statute Revisions* was recommendation #2 and had been completed. Revisions and recommended changes had been completed by this subcommittee and submitted to the AG's Office. The statute changes will be proposed in the legislative budgetary session.

The next recommendations for the subcommittee to focus on are *Equity & Inclusion* (recommendation #1) and *Diversion Program Resources* (recommendation #4). Staff mentioned the WI Diversion Standards needing to be reviewed and approved.

## TAD Data Analysis Presentation

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BJIA presented an overview of the data being collected and reports now available through CORE. They are developing ways to utilize and create visualizations of the current situation using reported TAD data. The data is preliminary and was used for demonstration purposes only. The DOJ team will focus on race and ethnicity disparities. It was noted that diversion programs flourishing in COVID because people not being admitted to jails. The question was raised: will data be presented or interpreted at the State WATCP Conference? BJIA would be willing to discuss that possibility further with the group.

## Diversion Programs Roundtable

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Melvin Juette presented on Dane County's program.

- This program has an opiate component, a child abuse component, and a deferred prosecution component.
- They handle 600-800 referrals per year both pre- and post-charge, though most are post-charge. Pre-charge is the most efficient option as referrals don't go into the court system.
- If there is a crime victim, they must support a pre-charge referral, but not post-charge referral.
- DPA contract requirements and treatment is individualized based on needs and assessment of offenders as it relates to their offense behavior.
- Offenders referred to Drug Court who are assessed as low risk through Compas or the LSI-R are eligible for the DPP-Opiate.

Beth Robinson presented on Outagamie County's program.

- In addition to their four treatment courts, Outagamie offers pre- and post-charge diversion, and post-conviction diversion.
- Pre-charge diversion is available to any age group; however, it began with 17- and 18-year-olds only (17-year-olds are supervised by YES). It has since been expanded to any age for select cases.
- Post-charge diversion is available as a DJA.
- Post-conviction diversion includes county-based probation instead of state probation, an OAR fast track, a DV fast track, and a program for eligible offenders of OWI 2<sup>nd</sup> and OWI 3<sup>rd</sup> offenses (SSTOP).

Sara Benedict presented on Dunn County's program

- Pre-charge referrals are handled by the DA's office (county-funded), treatment opportunity program (TAD), treatment court (county), and family treatment court (other grant).
- Pre-charge referrals are direct with no fee. Almost 400 participants have gone through the program and almost 92% have not returned.

- Dunn County has an interest in law enforcement-led diversion and has buy-in from law enforcement leadership.
- The TAD program handles post-charge referrals from a variety of sources. The program uses a universal assessment process for people booked/held in jail.

### **Diversion Standards**

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The WI Diversion Standards will be reviewed and updated by the TAD Subcommittee at the next meeting. Can committee look these over before the next CJCC meeting? Pre-charge and post-charge diversion covered; law enforcement is the next area of focus. There was not enough time to discuss in full. A motion will be made at the next meeting to accept after review.

### **Meeting Recap/Action Items**

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- Suggestion that the group shift their focus to diversion programs.
- Work to finalize the Wisconsin Diversion Standards.

### **Future Meeting Schedule**

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The next meeting will be held Wednesday, October 21 from 10:00am-12:00pm.

### **Public Comment**

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There was no public comment.

The chairs adjourned the meeting at 12:29 pm.

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