

Treatment Alternatives and Diversion Subcommittee | MINUTES

Meeting date | Time 11/17/2022 12:00 PM | WI Dept of Justice – Virtual via Zoom

Chair	Kelli Thompson, State Public Defender
Vice-Chair	Sara Benedict, Dunn County Criminal Justice Coordinator
Staff	Lara Kenny Donna Hahn Mike Derr Marsha Schiszik Chris McKinny Kaley Horvath

Members Present

Kelli Thompson, Sara Benedict, Adam Plotkin, J.C. Moore, Judge Elliott Levine, Heather Kierzek, Holly Audley, Robert Mann, Beth Robinson, Judge Jo Deen Lowe, Lisa Yeates, Kit Kerschensteiner Colleen Clark-Bernhardt, Megan Jones, Nick Sayner, Mark Abeles-Allison, Patti Jo Severson,

Members Absent

Lance Wiersma, Melvin Juette, Kristy Gusse, Tamra Oman, Jessica Skemp

Guests

Andy Phillips, , Linda Palmer, , Christine Schulz, , Kerrie Fanning; Caitlyn Snyder; Danielle Long; Phil Zell; Alesha Hawkins; Derek Veitenheimer; Nicholas Zabloudil; Sarah Wynn; Leilani Nino; Jon Dyck

AGENDA TOPICS

Welcome and Opening Comments

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 8/25/22 Meeting Minutes

A motion was made by Beth Robinson seconded by Heather Kierzek to approve the 8/25/2022 minutes, approved unanimously.

Committee Member Updates

WATCP Updates

Commissioner J.C. Moore spoke on the WATCP conference. There was a coordinators conference held October 6-7 with 103 coordinators in person and 21 virtual. There were 45 counties in attendance and 5 tribes. The 2023 state conference will be held April 26-28 in Wisconsin Dells.

Update on Opioid Settlement Funds

Holly Audley updated the subcommittee on the Opioid Settlement Funds. Wisconsin/DHS has received \$13.6 million so far and is working on the top priorities. Below is the link to the state distribution of funds

<https://www.dhs.wisconsin.gov/opioids/settlement-funds.htm>

Mike Derr introduced Attorney Andy Phillips from Attolles Law Firm of Milwaukee. Attorney Phillips represented 67 of 71 counties in the opioid settlement. During his presentation he went over handouts shared with the Subcommittee. He stated the allotments each county or municipality is receiving is not based on population but is based on the impact the opioid epidemic has had on them. The use of funds is very broad and flexible but not to replace budgets. There was an opioid summit in August of 2022 to review the use of funds with municipalities and counties receiving funds. There are 2 other summits scheduled, one in November of 2022 in Stevens Point and one in January 2023 TBD. An Abatement Task Force was formed and they do meet monthly.

Wisconsin's Tribes, who his firm did not represent, are not covered under the settlement agreement that Attorney Phillips discussed. They received a separate amount under a different settlement agreement.

The link below is to the Wisconsin Counties Association site and can provide more information on the summits and what each county can use funds for.

<https://www.wisopioidabatement.com/>

Legislative Updates

DOJ's proposed 2023-25 budget

Chris McKinny gave an update to the subcommittee. The following 7 out of 8 recommended revisions to the current TAD statute were issued to legislative drafters as part of the DOJ budget. The violent offender recommendation was not submitted them. The Subcommittee's legislative committee will meet again later to review the proposed legislative language.

Adam Plotkin discussed the need for caseload relief for public defenders, as well as increasing fee rates. Hourly fees have not been increased for many years.

BJIA Updates

Staffing and Programs

Ashley Billig updated the subcommittee on recruitment to the subcommittee. BJIA has added a data team. Kaley Horvath is the data team member for TAD and will be doing the data collection.

Presentation – Admissions Data by various Racial/Ethnic Groups

Alesha Hawkins presented on treatment court and diversion program admissions data from CORE during 2019-21, broken down by various racial/ethnic Groups. The slides and discussion focused on the various reasons reported for being ineligible for programs, comparing that data by different racial/ethnic groups. The PowerPoint presentation can be sent out to committee members following the meeting. . Alesha will need to add all the slides to the presentation before the slides can be sent out.

TAD Procedural Fairness Survey

Kaley Horvath presented from BJIA on the TAD Procedural Fairness Survey. The survey will be sent out in the next week for all local treatment court site participants to complete. The survey will be due by the end of December. Results will be compiled beginning in January. Each site will receive reports on satisfaction responses that include trends, etc.

BJP Updates

Staffing and Programs

Lara Kenny updated the subcommittee on staffing and recruitment for Bureau of Justice Programs. The new Criminal Justice Supervisor will begin December 5th (Ryan Anderson)

Update on '23 TAD Final Applications and Grant Awards

Mike Derr gave an overview to the subcommittee members.

- DOJ staff reviewed pre applications, reviewed past and current performance of TAD sub-grantees, consulted with the multi-agency TAD grant review team on September 13th, and is developing preliminary grant award recommendations to share with the Attorney General's Office, DHS Secretary. And DOC Secretary for approval.
- At present, tentative recommendations would allocate approximately:
 - \$7.6 million to support existing programs
 - \$200,000 to support "Rising Costs"
 - \$1.15-\$1.2 million to support new programs
 - \$600,000 - \$700,000 to support program enhancements/improvements
 - \$72,000 to support program evaluations
 - Also, tentative recommendations would award increased amounts to all 38 existing subgrantees seeking an increase. 17 existing subgrantees would receive the same amount as in 2022. Only one subgrantee would receive less in 2023, and this is at their request.
 - The 5 new applicants would receive approximately \$540,000 to fund new programs with TAD grants for first time.

New Byrne SCIP (State Crisis Intervention Program) Grants

Lara Kenny spoke to the subcommittee regarding a new BJA/Byrne program. The State Crisis Intervention Program Grant (Byrne SCIP) is a 5-year formula grant program that provides funding for the creation and/or implementation of extreme risk protection order programs, state crisis intervention court proceedings, and related gun violence reduction programs/initiatives. December 19th is the initial submission date for the grant application. WI DOJ will be applying initially for \$4.1 million for the first 2 years of funding. The TAD Subcommittee could serve as the "umbrella" or advisory board for SCIP program, but staff is not sure at this time.

Upcoming Meetings

- Race Equity, Inclusion, and Access – 12/1/2022
- State Criminal Justice Coordinating Council 12/14/2022
- EBDM Subcommittee 12/22/2022
- Data Sharing/OTIs Subcommittee TBD

Next Meeting Date

- TBD

Public Comment

No public comment

A motion was made by Beth Robinson seconded by Heather Kierzek to adjourn the meeting. Meeting adjourned at 1:15pm.