

**DANE COUNTY CRIMINAL JUSTICE COUNCIL  
MINUTES OF THE MARCH 22, 2012 MEETING**

**MEMBERS PRESENT:** McDonell, Parisi, Foust, Esqueda, Ozanne, Mahoney

**MEMBERS EXCUSED:** Esqueda

**NON-VOTING MEMBERS PRESENT:** Watson, Wray, Anhalt

**OTHERS PRESENT:** Colleen Clark Bernhardt, Jeff Teuscher, Jeff Kostelic, Lynn Green, Paul Rusk, Karin Peterson Thurlow

Parisi called the meeting to order at 12:05 p.m. There was no public comment.

Approval of minutes of the March 8, 2012 meeting was before the council. Motion by Foust/McDonell to approve the minutes. Motion by McDonell/Foust to amend the minutes by changing the last paragraph on page 3 to read "Jeff Kostelic indicated that citizen members of faith-based communities had written letters of support regarding efforts to eliminate racial disparities in the criminal justice system. He distributed a packet of letters to members." Motion to amend carried, 6-0. Motion to approve the minutes as amended carried, 6-0.

Review of Criminal Justice Group activities was before the council. Foust indicated the CJG would meet the following day. They are looking at 24/7 alcohol testing programs. He also said that 10 police departments are participating in a discussion on 4/29. All are invited and welcome to come.

An update on the CJC facilitator was before the committee. McDonell said that the subcommittee had interviewed two groups and had chosen the Institute for Justice Planning. Dr. Mike Jones would be the principal facilitator for the group. Foust said the choice was unanimous. Mahoney pointed out the facilitator had stressed seeking input from all customers. McDonell said Jones would be at a meeting in April.

The mission statement on reinvestment of savings achieved through efficiencies was before the council. Parisi reviewed the two initial proposed statements. Ozanne said it would be 50% of the savings to be reinvested if there were savings of 40% and the Board, in its budget process, matched half that amount. Discussion ensued regarding using the words "set a goal of utilizing 40%". Parisi indicated it would be hard to commit to matching a savings amount without knowing future fiscal conditions. Ozanne said the investment could be beyond the partners; he suggested housing would be an example of an investment.

The budget effect of reinvesting was discussed. McDonell said he could understand a goal of 40%, but he would not want there to be hard feelings if there is not agreement on what constitutes reinvestment. He noted that the District Attorney's Office does not get cut as much as others at budget time. Ozanne pointed out that cuts in one agency affects others.

Parisi suggested cutting the last sentence, “We also seek from others in county government a commitment to match up to 50% of the allocated savings for this stated purpose.” Ozanne said the purpose is to capture funds and he has no problem with the changes suggested.

Watson asked if there was interest in “setting a goal of 50%”. Parisi was agreeable to that. Foust liked the idea of a goal, but he believed it would be difficult to discern the amount of savings and then calculate 50% of that amount. Ozanne said that savings would not look like hard cash; it will be an exercise in figuring out the dollar amount.

Motion by Foust/Mahoney that “In order to ensure the strength and integrity of the criminal justice system now and into the future, this council seeks a commitment from its members and other community leaders to set a goal of utilizing at least 50% of any savings created by the council to create, test and expand evidence-based programs and services for prevention, diversion and re-entry programs and services.”

Discussion ensued. McDonell said it was a good idea, but this is what the County Board deliberates during the budget process. He indicated the commitment would be more meaningful if the Board approved a resolution. Parisi suggested further discussion and input from the facilitator. Discussion ensued regarding how human services could be a target of the reinvestment.

Discussion turned to evidenced based practices. Wray asked who decides if a practice is “evidence-based”. Ozanne said that an evidence-based program has been evaluated based on data regarding whether it is working. Wray indicated he was looking for an operational definition of “evidence-based” since many initiatives make this claim. Discussion ensued regarding whether the mission statement should specify expansion of evidence-based programs. There was agreement that further discussion was required on this point.

A review of analysis of arrests is before the council. Teuscher indicated that the Sheriff’s Office had begun collecting data, but that it had not yet been analyzed. Efforts are on-going to analyze misdemeanor charges and to break out domestic situations, which require a mandatory arrest. Discussion ensued regarding non-payment of forfeitures; there was only one arrest on the list for this reason. Foust said that jail beds have not been used for this purpose since 2007.

Discussion continued regarding the information on arrests. The data appeared to be from Madison alone. Teuscher said that many agencies do not bring individuals to jail for a municipal charge. Wray said that there are OWI 12 hour holds, who are then released. He said that last year the Madison Police Department authorized officers to cite individuals for municipal offenses and he was curious on the effect of that change on the amount of arrests.

Wray discussed the data further. He said that officers consider many things when arresting, including lack of identification, danger to self or others, ties to the community, whether the person would fail to appear to court, and whether he or she is needed for the investigation. Of the 105 incidences that lead to arrest in the two months of data that the Sheriff presented, Wray said that 43% were held because the behavior was likely to continue; 14% had no ID; 11% had no responsible party for pick-up; and 14% had no permanent address. Wray said the information

prompted more questions. Watson noted that, if broken down by individual rather than incident, 21 individuals had more than 2 arrests and 8 individuals had 3 or more arrests.

Parisi asked what data was needed and what might the facilitator need. McDonnell wondered if the data was of all municipalities or only Madison. Teuscher indicated he would check. Watson asked if Sun Prairie had any capacity to hold prisoners. Anhalt said they do not.

The council briefly discussed the cost of a day in jail.

Ozanne wondered what drives the decision to release and if there is a way for the decision to be made earlier. Foust asked if the council wanted to let jail deputies release someone who is just brought in. He pointed out that could put deputies in a hard position. Parisi suggested determining the alternatives.

An update on the mapping exercise was before the council. There is a meeting in the future on this topic.

The Second Chance Act grant opportunity was before the council. Colleen Clark-Bernhardt addressed the committee. She said that DOJ has a grant opportunity that focuses on second chance re-entry for women with AODA and mental health issues. Up to \$600,000 is available. Clark-Bernhardt spoke of the information needed to move forward, including whether Dane County had a unique population, key groups for a collaborative approach, and the need for CJC letters of support. Foust suggested she work with Dave Delap from Journey. Lynn Green suggested working with Pathfinders and Hope Haven. Green also suggested that housing be a component of the grant and possibly the use of single room occupancy housing.

Such other business as allowed by law was before the council. Ozanne wondered if there are OJA grants for electronic referrals. If the DA's Office goes paperless, then it will require e-referrals. He also said there should be discussion of a fast track court for certain cases. The Sheriff indicated that a new records management system, or an upgrade to Spillman, could do e-referrals.

The council asked staff to identify a time for the next meeting.

Motion by Mahoney/Foust to adjourn. Motion carried 6-0 and the council adjourned at 1:15 p.m.

Respectfully submitted,  
Karin Peterson Thurlow, Recorder

*Note: These minutes are the notes of the recorder and are subject to change at a subsequent meeting of the committee.*