

Dane County Criminal Justice Council

Minutes of the September 26, 2013 Meeting

Members Present: Parisi, Mahoney, Colas, Esqueda, Ozanne and Hendrick

Non-Voting Members Present: Anhalt, Gaber, Tradewell, Bayrd and Rusk

Others Present: Clark, Hook, Kostelic, Saterfield, Peterson-Thurlow, Richardson and van Lith

Parisi called the meeting to order at 12:05 p.m.

There was no public comment

Consideration of the minutes of August 22nd: Moved by Mahoney, seconded by Esqueda to approve the minutes. There was no discussion and the minutes were approved.

Discussion of Departmental 2014 Budget Proposals by Agency Directors

Mahoney said that the operating portion of the Sheriff's budget is focused on maintaining existing services and that there are several maintenance and repair items in the capital budget. The space needs analysis has highlighted the need for improved special needs accommodations in the jail. He said that the existing structure forces the use of disciplinary cells instead of medical space which can make a difficult situation for an inmate even worse. Isolation is particularly problematic for those with certain mental health problems. They have not encountered serious issues related to the existing arrangement due to the high quality of work done by the staff and the medical provider.

Coordinating functions in the three jail facilities is difficult and inefficient. The Sheriff believes laundry, food and health care could administer more efficiently under one roof. In addition, the top two floors of the CCB are from a different era and are in need of repairs – electrical, plumbing and cells. A final report from the consultant should be available in December. The budget contains planning funds for a new jail facility in anticipation of the report.

Esqueda said that his operations budget is mostly status quo. He discussed several capital needs including upgrades to the telecommunications and audio/visual equipment which are now outdated. Evidence is now being collected with high definition cameras but our screens and players are not compatible. Esqueda also discussed the need for a half time ATIP position which would increase capacity and potentially reduce jail bed stays as well as the ability to collect more court appointed attorney fees which could be used to fund back up and surge capacity staff. He strongly supports adding WiFi to the courthouse.

Ozanne discussed the need for more treatment funding and how the fast track for physical abuse of children combined with the mediation pilot with the Corporation Counsel's office will move cases through the system faster. The DA's office is pursuing more paperless interactions with area law enforcement agencies. This may shift workload which will create staffing needs for 2015.

Comparison of the Dane County Criminal Justice Council to Other Criminal Justice Councils

Saterfield started the discussion by detailing the characteristics of the CJC landscape in Wisconsin. There are currently 38 counties with a CJC. Two have data analyst positions (Eau Claire and LaCrosse). Others have a dedicated facilitator and rely on other resources for data analysis. Milwaukee contracts with a think tank (Public Policy Forum) for both their facilitation and data analysis. Some CJCs operate with none of these supports. Some CJCs are much larger and more diverse with 15-25 members, including citizen members. LaCrosse, for instance, has nine citizen members.

Dane County's CJC was born out of a 2007 study and has operated, up until recently, without subcommittees. Many other CJsCs use subcommittee or work groups. It has been suggested that our CJG – created by the Chief Judge and Sheriff – be used as a work group for the CJC.

Saterfield asked who we should look to for ideas. Waukesha, Eau Claire and Milwaukee were mentioned. Waukesha's CJC has a dedicated budget of \$500,000 and operates the County's diversion programs. Milwaukee's CJC is still evolving.

Clark stressed the need for CJsCs to focus on pushing evidenced based decision making tools throughout the criminal justice system. This is the focus of many recent grant opportunities.

Saterfield asked how the CJG should fit into the work plans of the CJC. van Lith said he has seen a drop off in attendance at CJG meetings and would like to see some agenda setting from the CJC. They are looking for work projects. Saterfield said that it is important to keep service providers and law enforcement at the table. Ozanne recommends keeping the CJG, delegating projects to them and having them report back. He mentioned "credible threats" as a possible topic which would involve having mental health providers, school representatives, law enforcement and others at the table.

The discussion shifted to staffing and the need for data analysis. The racial disparities grant has a data component which may be able to help with our data analysis capacity. van Lith said that tasks would make the CJG more motivated and effective and used the "credible threat" example as something they could focus on at future meetings using a "project team" model.

Update on Drug Court

Colas provided background on O'Brien's work on this project which began in April. Her goal was to better align risk with the appropriate amount of treatment. Drug offenders would be split into three groups. Those with a low risk of recidivism and who are non-violent would be eligible for DPU. Those with a medium risk score would be eligible for the Drug Court Diversion Program. This will likely be the largest group. Those with a high risk score will be eligible for the Drug Court Treatment Program which offers the most intensive level of treatment and support services.

Changes would be needed at intake (Monday A.M.) where a brief initial screen would be conducted using either the LSIR-short version or the TCU AODA tool. Those identified as low risk would be eligible for DPU. The medium and high risk offenders would receive a full COMPAS AODA assessment. Those who qualify for the middle group would avoid a felony conviction by successfully participating in the Diversion Program. Those identified as high risk would be convicted by could avoid prison through participation in the Treatment Program.

The intention is to begin initial screens in November to help determine how big each group will be but the existing structure of drug court will continue in the short term with existing participants allowed to remain. Ozanne said that our TAD program will help to service those in the middle risk group. Dane County will apply for TAD funding, which is now competitive. Staff feels confident that we will receive funding. Hendrick asked for clarification on the middle and high risk groups. Ozanne responded that the high risk group may have a criminal history thus making them a risk to the public or they may be of risk to themselves. Parisi asked when this change would be fully implemented. Colas said, assuming the group size is as anticipated, would be to begin in early January.

On-Going Initiatives

Racial Justice Improvement Project

Clark said that they hope to hire a data analyst in November. This project will help with cultural competency training and the changes born out of this project will likely help secure future grants.

Ozanne said that the project will focus on a reform which will be analyzed. The data will tell us what to do and where additional changes or services are needed. The issue of corporal punishment was mentioned as a topic for a larger community discussion involving faith-based organizations, law enforcement and human services. It was mentioned that corporal punishment is generating felony charges.

Clark mentioned two other grants. Journey Mental Health is pursuing a SAMSA grant for \$500,000 that would focus on trauma and domestic violence. The Wisconsin Council on Children and Families submitted a Kellogg Foundation grant for integrating schools with very early childhood programming, like ECI. She asked that members contact her if they come across future grant opportunities.

Mahoney mentioned the press conference that was held on the proposed 24/7 program for OWI and domestic abuse offenders. He said this will be a pilot run out of the Ferris Center with further coordinating work done by Safe Communities. The program requires participants to report twice daily to a testing facility for a PBT. Those who fail will be immediately taken into custody. The program should be self-funding once fully implemented. He mentioned a RAND Corporation study which showed that 90% of participants did not reoffend. This could help reduce the jail population and keep people sober. Bayrd asked if this population is currently being monitored. Mahoney said that most are not. Colas said that the program is powerful because it imposes a sanction immediately upon violation.

Tradewell asked if there is a delegation problem. Colas responded that there is not a problem due to the review process. Ozanne compared it to a bail jump. Mahoney stressed that it helps identify violations prior to another crime being committed.

Saterfield mentioned that 24/7 came from the CJG and a presentation coordinated by Judge Markson. He also indicated that the Eau Claire CJC facilitator would be willing to attend one of the Dane County CJC meetings to share his perspective.

Mahoney mentioned Attorney General Van Hollen's heroin initiative and added that Dane County is dealing with 4-6 overdoses per week. Tradewell asked how many are fatal. Mahoney didn't know. Mahoney did say that the use of Narcan is helping keep the number of fatalities down. The Medical Examiner would know how many have died due to opiate overdoses. Mahoney fears that the term "overdose" has lost its stigma due to so many who come back from what typically would be fatal overdoses if not for the use of Narcan.

Adjourn.