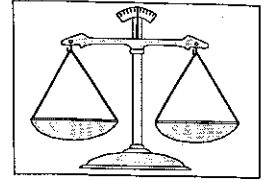


**PORTAGE COUNTY
CIRCUIT COURT – Branch III**

Thomas T. Flugaur, Judge



1516 Church Street – Stevens Point, Wisconsin 54481 (715) 346-1244

TO: Honorable Tom Eagon
Honorable Robert Shannon
Portage County Sheriff Mike Lukas
County Executive Chris Holman
County Board Chair Al Haga
Corporation Counsel David Ray
Public Defender Ryan Drengler
District Attorney Louis Molepske, Jr.

Andrea Behnke

FROM: Executive Committee Chair Thomas T. Flugaur *TF*
DATE: February 26, 2019
RE: Notice of Meeting/Justice Coalition Executive Committee

The Executive Committee will meet on Thursday, March 7, 2019 at 8:00 a.m. in Conference Room F of the Courthouse.

The agenda items will include:

1. Approve minutes of December 20, 2018 meeting;
2. Review of Justice Program statistics from the previous quarter;
3. Update on Treatment Court and Oversight Committee;
4. Update on Day Report/Pre-Trial Work Group;
5. Update on Domestic Violence Work Group;
6. Update on Non-Monetary Bonds Work Group;
7. Discussion of the agenda items for April Justice Coalition Meeting.

Notice: A quorum of the Portage County Board of Supervisors or any committee thereof may be present at this meeting.

Any person who has special needs and plans on attending this meeting should contact the Justice Programs Department as soon as possible to ensure that reasonable accommodations can be made. Telephone: 715-346-1334.

MINUTES
Justice Coalition Executive Committee
December 20, 2018

Members Present: Judge Tom Flugaur, Judge Tom Eagon, County Executive Chris Holman, Corporation Counsel Dave Ray, Sheriff Mike Lukas, and Public Defender Ryan Dregler

Members Excused: Judge Robert Shannon, District Attorney Louis Molepske, and County Board Chair Al Haga

Others Present: Andrea Behnke and Paula Cummings, Justice Programs Department

Chair Flugaur called the meeting to order at 8:05 am in Conference Room F of the Courthouse.

1. Approve Minutes of September 6, 2018 Meeting

JCEC members approved the September 6, 2018 minutes by consensus.

2. Review of Justice Programs statistics from the previous quarter

Behnke provided statistical data with the agenda packet to all members prior to the meeting (originals in meeting file).

Behnke discussed/read through her statistical handouts and highlighted the following:

- Pre-Trial assessments are up.
- Six individuals in Volunteers-In-Probation (VIP) Program
- Day Report program participant numbers remain steady
- Kiosk fees have decreased due to a lower number of individuals testing. She also noted the Kiosk was accidentally down for a half-day, with individuals then reporting to ATTIC staff for a breathalyzer. Lukas stated his understanding was that a key for the Kiosk would be located in the dispatch center, which is operated 24/7, including Saturdays/Sundays to help address Kiosk issues. Lukas asked the status of surrounding counties moving toward implementing the Kiosk and Behnke replied she had received inquiries from other counties, but had heard nothing else.
- OWI Pre-Trial participant average is the same, with zero positive PBTs
- OWI Post-Sentence participant average is 8 (during the last three months), with zero positive PBTs
- Jail population has been steady except for juvenile numbers, which are down. Flugaur noted a NPR program he listened to that discussed juvenile detention facilities and the closing of Lincoln Hills. It was also discussed that Portage County could be the site of a possible regional juvenile center and Flugaur asked Lukas if he was aware of this. Lukas responded he was aware. Holman stated he had received a call on this as well, but it was felt upfront costs were prohibitive. Lukas clarified he had been contacted by the Governor and felt due to costs to Portage County, there would probably not be interest here. Lukas noted the Juvenile Detention Administrator has been attending meetings regarding this and it appears the regional center may be located in Green Bay. Lukas also noted additional funds to increase the Juvenile Detention Center in the new building may be possible and further noted the juvenile population could be 28 - utilizing the same number of staff.
- Between the Home Detention and Pre-Trial/Day Report Programs, and Probation Sanctions, total cost averted was \$3,300,054 from January-October 2018
- 44 total individuals excluded from Adult Drug Treatment Court, with 41% excluded by law enforcement veto. Vetoes by the District Attorney have increased from 2% to 5%. Probation/Parole had one referral. Flugaur stated law enforcement and the District Attorney have combined votes on Treatment Court referrals, with the District Attorney having the final say. He went on to say at this point he is undecided as to whether to go to the Oversight Committee to talk about Judges having the authority, at the sentencing hearing, to order an assessment and vote. As an example, a person was determined high risk/high need, which met qualification for Treatment Court, but law enforcement vetoed the referral due to the quantity of methamphetamine the referral had. Flugaur believes, in certain instances, the Judge should have authority to request the person be evaluated; but again, at this point, he stated he is undecided.
- Regarding race of participants, Probation/Parole had the most non-Caucasian referrals. The State wants this information to be tracked. Behnke noted the TAD grant will be evaluated by the State on January 14, 2019.
- Uncertainty surrounds continuation of the VIP Program due to lack of funding. Flugaur stated he was contacted by Justiceworks staff two weeks ago regarding the need for \$10,000 in funding to continue the Family Law Information Center (FLIC). He noted that at times, it takes five court appearances to get paperwork completed correctly, but with FLIC in place, Justiceworks keeps the flow going and eliminates the need for so many court appearances; this is valuable. It was suggested and approved by the Judges that FLIC fees increase from \$100 to \$200 for up to four contacts and an additional \$50 for each contact over four. Also, those in post-judgment would be charged as well. This change includes FLIC being re-evaluated in July 2019, and if found unsustainable with the new fee structure, Justiceworks would bid out the program.

- The Community Residential Program (CRP) had 3 successful and 3 unsuccessful completions (the unsuccessful were out-of-County individuals at Portage House).

3. Update on Treatment Court and Oversight Committee

Flugaur noted a Treatment Court Oversight Committee is required as part of the TAD Grant and the next quarterly meeting is January 28, 2019. Members are well-versed due to having served during Treatment Court creation. He noted a desire to have the agenda include the authority for Judges to order a referral's assessment. Treatment Court referrals can be rejected for not being "bad" enough, but the alternative for the individual being referred is prison.

4. Update on Recidivism Study/Pre-Trial Supervision Work Group

Behnke noted the Pre-Trial Program will fall under a contract with JusticePoint beginning January 1, 2019, and provided numerous handouts to those present including: the Milwaukee County Pretrial Risk Assessment Instrument (MCPRAI-R), a Day Report Fee Schedule, program non-compliance example letter, non-compliance supervision report, and a Portage County Community Justice Programs referral form (originals in meeting file). Flugaur noted the former contract provider, ATTIC, had been in place for 18 years.

Behnke provided some specifics on the JusticePoint contract including:

- Hours of operation: Monday-Friday, 8 am to 7 pm; with hours on Saturdays/Sundays varying to keep it more random. Ideally, the program would operate seven days a week. Safety concerns have been expressed by the District Attorney due to one staff person working alone in the basement of the Law Enforcement Center.
- 2 full time / 2 part time employees. One of each has been hired to-date. A male program director has been hired who will also conduct UAs on males in Treatment Court. UA testing will continue to be under contract with Options Lab.
- Pre-trial program will utilize the MCPRAI-R, and Post-trial will continue with the Level of Service Indicator-Revised (LSI-R).
- New participant fees will be put in place and collected by JusticePoint; Portage County will have nothing to do with the fees collected. Those in Pre-trial programming and under condition of bond cannot be charged.
- The District Attorney and Judges want reports for Day Report participants coming to Court. It was noted the Kiosk can generate a report, and they are waiting to set the report format based on what the County wants to see. Eagon clarified those on Post-trial are OWI's only and Flugaur agreed. Flugaur noted Thinking-for-a-Change (T4C) programming may be discontinued to use the Moral Reconciliation Therapy (MRT) curriculum. They were waiting until a contract was awarded to create a work group to meet on this change.

Flugaur stated a summer intern compiled a recidivism report. He noted the program had been in place for twenty years and the review took place to determine the program's validity, any needed improvements, etc. Lukas questioned the \$40 fee related to the Home Detention Program (HDP). Behnke stated HDP staff refers individuals to Day Report. Lukas responded that Post-trial should not be referred there; only Pre-trial. Behnke stated a meeting was held with the Clerk of Courts to develop the form to report incidents and non-compliance immediately because bail-jumping charges would no longer be recommended. Eagon asked if this had been worked out with the District Attorney's Office and Behnke answered yes. In addition, reports would be sent to the Public Defender. Flugaur asked whether a new Drug Court Coordinator had been hired and Behnke replied the name was not made public yet.

5. Update on Veterans' Court

Flugaur noted Behnke had visited the La Crosse Veteran's Court. Behnke described their court as being more preventative while utilizing a mentor/mentee program to try to avoid court proceedings. Flugaur described that as intriguing. Flugaur noted a Veterans of Foreign War (VFW) representative attended the last Portage County Veteran's Court work group meeting. He further noted he had been approached by County Executive Holman and Representative Katrina Shankland in support of Portage County creating a Veteran's Court. If the County were to pursue grant funding for this type of court, participants would have to be high risk/high need. He also described that some counties share Veteran's Courts, which is a real possibility; noting that La Crosse has the most experience in this area and he likes the idea of trained mentors. The number of participants in La Crosse is uncertain. La Crosse County would accept Portage County residents, whose ability to participate could be assessed here. Many options are being looked at. Behnke stated La Crosse County would be presenting to the work group via Skype at an upcoming meeting with a date to be determined.

6. Discussion on the formation of a work group to study setting non-monetary bonds based upon risk of pre-trial non-compliance

Behnke stated a work group meeting is scheduled for January 17, 2019 from 11 am-noon at the Law Enforcement Center Training Room. Flugaur noted that Molepske would Chair this group. A Judge is needed on the work group as well, and Flugaur stated he volunteered Eagon and himself. Eagon confirmed his interest.

7. Discussion of agenda items for the January Justice Coalition Meeting

Flugaur confirmed the next Justice Coalition meeting would be held January 10, 2019.

Flugaur felt the Domestic Violence Work Group should start meeting again, because a program is needed. He stated Danna Hibbard, Probation/Parole, is passionate about creating a program and she felt the Department of Corrections could come up with money for a program. Participants would self-pay, and she expressed confidence to Flugaur that a program would get up and running.

Eagon asked if Hibbard or a representative of Probation/Parole was on the Justice Coalition Executive Committee. Cummings responded they historically have not had a member. Flugaur asked Cummings to confirm this and let him know.

Holman noted interest in a Veteran's Court, and suggested the greatest need for funding justice programs be decided/prioritized. Again, the focus should be on need, which would be considered during an upcoming County budget prioritization process. Holman stated he would be happy to work with individuals and discuss how this would look. If discretionary funding would be available, a compelling argument should be in place as to where and how this funding would be prioritized.

Drengler suggested mentors needed for programs could be pulled from the trained VIP mentor pool.

Meeting adjourned at 9:00 am.

Respectfully submitted,
Paula Cummings
Recording Secretary

DRAFT