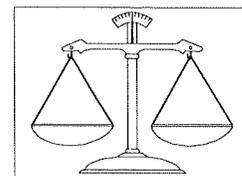


**PORTAGE COUNTY
CIRCUIT COURT – Branch III** Thomas T. Flugaur, Judge



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

September 30, 2020

Dear Justice Coalition Member,

The Portage County Justice Coalition will meet on **October 8, 2020 from 7:45 a.m. to 9:00 a.m.** in **Portage County Circuit Court, Branch 3.**

Video (Preferred):

<https://portagecounty.webex.com/webappng/sites/portagecounty/dashboard>

Meeting #: 965946031

Then follow the instructions on your computer

Phone:

1-408-418-9388

Meeting #: 965946031

Pin/ID #: Just hit #

In-Person

Please sit 6 feet apart.

The agenda items will include:

1. Approval of the minutes from the July 9, 2020 meeting;
2. Discussion/Possible Action; re:
 - Request for special meeting attendance;
 - Approval of attendance of special meetings;
 - Special meeting attendance report;
3. Discussion on Non-Monetary Bonds Work Group by District Attorney Louis Molepske;
 - a. New Coalition Charter, which includes the Pre-Trial subunit;
 - b. Meeting date October 15, 2020;
 - c. NCIC access;
4. Adult Drug Treatment Court Update by Andrea Behnke;
 - a. New Judge;
 - b. New AODA provider;
5. Topics to be considered at future meetings;
6. Last Coalition Meeting-Judge Flugaur

As always, please call me if you have any questions or would like to discuss a future agenda item.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Flugaur', written over a light blue horizontal line.

Hon. Thomas T. Flugaur
Circuit Court Judge, Branch 3

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.

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September 25, 2020

**LISTED BELOW ARE SCHEDULED DATES/TIMES/LOCATIONS:
2021 JUSTICE COALITION MEETINGS**

January 7, 2021	7:45-9:00 a.m.	Circuit Court Branch 1 Courtroom
April 22, 2021	7:45-9:00 a.m.	Courthouse Annex Conference Rooms 1 & 2
July 15, 2021	7:45-9:00 a.m.	Courthouse Annex Conference Room 5
October 21, 2021	7:45-9:00 a.m.	Courthouse Annex Conference Rooms 1 & 2

2020 EXECUTIVE COMMITTEE MEETING DATE CHANGE

The December 3, 2020, Executive Committee Meeting date has been changed to **December 2, 2020, 8:00-9:00 a.m.**, in Circuit Court Branch 1 Courtroom

2021 EXECUTIVE COMMITTEE MEETINGS

March 4, 2021	8:00-9:00 a.m.	Courthouse Conference Room F
June 10, 2021	8:00-9:00 a.m.	Courthouse Conference Room F
September 16, 2021	8:00-9:00 a.m.	Courthouse Conference Room F
December 9, 2021	8:00-9:00 a.m.	Courthouse Conference Room F

MINUTES
Justice Coalition
July 9, 2020

Members Present: Judge Flugaur, Lisa Roth, Al Haga, Jeanne Dodge, Mike Lukas, and Stan Potocki

Members Who Attended Virtually: Tom Zenner, Ronnie Leach, Dave Ray, Ben Beaudoin, Mike Wiza, Penny Borski, Daryl Woods, and Chris Holman

Others Present: Bryan Peil, Diversion Program

Others Who Attended Virtually: Jamie Kiener, JusticePoint; Ryan Fox, Plover Police Department; and Rhonda Frank-Loron, Wisconsin Supreme Court

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

Judge Flugaur called the Justice Coalition meeting to order at 8:05 am in Circuit Court Branch 3, Portage County Courthouse.

1. Approval of the Minutes from the January 9, 2020 Meeting

Flugaur asked for edits or corrections to the January 9, 2020 minutes. Hearing none, the minutes were accepted by consensus.

2. Discussion/Possible Action: - Request for Special Meeting Attendance, - Approval of Attendance of Special Meetings; - Special Meeting Attendance Report

Nothing submitted/requested by County Board members present at today's meeting.

3. Changes to Day Report Program and Treatment Court due to COVID-19 by Justice Programs Director Andrea Behnke

Behnke highlighted the following changes to the Day Report Program:

- Breathalyzer tests have continued with staff wearing personal protective equipment (PPE).
- Frequency of testing has been reduced (i.e. those testing 4+ times per month reduced to 1-2 times per month).
- If an individual tested negative two months in a row, they are moved to unsupervised urine tests.
- Plexiglass was installed to separate staff from client.
- Clients must wear a mask and only one person refused to-date.
- Case management is conducted by phone or the Zoom platform.
- Portage County's program kept going through the pandemic, while other counties have not.

Kiener stated on June 1, 2020 Day Report returned to its regular schedule with supervised urinalysis (UA) and breathalyzer tests with the use of PPE.

Behnke highlighted the following changes to Treatment Court:

- UAs continue for Treatment Court participants, while other counties moved to patches.
- Phase 1 participants must appear in person at Treatment Court hearings.
- Participants in higher phases can appear using the WebEx platform.
- Participants phasing-up must appear in person at Treatment Court hearings.
- Adding new participants has been suspended due to struggling with sobriety during the pandemic because of less support and the fact it is more difficult to sanction individuals without being able to utilize the jail or community service at this time. If a potential participant has sober time behind them, they can join Treatment Court.
- Morale Reconciliation Therapy (MRT) sessions are held on the Zoom platform.
- Self-help groups such as NA and AA are being held online and face-to-face, with some participants liking the online opportunities.
- No pro-social activity is possible during the pandemic.
- There has been a change in AODA provider. The contract is now with Elmergreen Associates for MRT and 1:1 therapy. Portage County's Jordan Park Lodge has been secured, free of charge, to begin conducting in-person group therapy.

- Assessments and one-on-one sessions are being conducted face-to-face.
- Ascension Behavioral Health will continue to be utilized for residential treatment and medically assisted treatment (MAT) needs.
- During this time, there have been participant relapses causing the ratio of sanctions to incentives to be low, which is unlike our Court. The ratio should be 1 sanction to 6.5 incentives and during the second quarter, we are operating at 1 sanction to 1.5 incentives. Other counties are struggling with this as well.

Flugaur described the challenges of being under a pandemic because human contact is important for participants, and in Treatment Court that contact would normally be found in individual therapy to group therapy to NA meetings to sponsor contact, etc. Now these are conducted remotely. He further described this time as not being business as usual, but we do the best we can under the circumstances. Flugaur noted new participants have struggled and have taken a long time to maintain sobriety.

Flugaur briefly described the Courtroom Safety Plan as ordered by the Supreme Court. All those entering the Courthouse second floor must go through screening that includes having a temperature check, answering screening questions, wearing a mask, and keeping social distancing in place. He noted the preference of remote hearings in order to lower Court traffic and crowding in the corridor. During Treatment Court, once the participant has their hearing, they can leave the Courtroom. They no longer must stay to listen to other participant hearings.

4. Discussion on Non-Monetary Bonds Work Group by Andrea Behnke and District Attorney Louis Molepske (Meeting Date July 16, 2020; Pretrial Fee Policy; and NCIC access)

AND

5. Discussion Possible Action Regarding Resolution – Establish a Pretrial Services Subunit of the Justice Coalition Authorized to Perform Pretrial Release Supervision in Portage County by Judge Flugaur and Andrea Behnke

Flugaur noted non-monetary bonds are being discussed to try to not have individuals sit in jail, if that is not needed during pretrial. He described this as a nationwide subject.

Behnke stated the Public Safety Assessment (PSA), a pre-trial risk assessment, requires access to the National Crime Information Center (NCIC). Other counties had been contacted to determine how they achieved access to NCIC and found the process took approximately one year. There is a Non-Monetary Bonds Work Group meeting scheduled for July 16 using only the Zoom platform at which time Daniela Imig from JusticePoint will make a presentation to the Work Group. A policy has been drafted and Flugaur is reviewing it. The policy would include not charging pretrial fees and would first go through the Justice Coalition Executive Committee for approval. A Subunit Work Group is also needed; not a committee. This group would focus on pretrial services with the budget going to Pre- and Post-Trial Supervision. All of this is necessary because the Federal Bureau of Investigation does not recognize our Justice Programs Department as a criminal justice entity.

Behnke noted a resolution is also necessary and referred to the draft found in the agenda packet. The resolution is necessary to create the Subunit Work Group and become an official part of the Justice Coalition. The current Non-Monetary Bonds Work Group already discusses pretrial services, so this is not a huge change. If the Justice Coalition approves the resolution, it will go on to the Judicial General Government Committee for approval and then the County Board. Once approved, changes to the County's contract with JusticePoint will take place. Behnke stated she spoke with NCIC about the process and they felt it would work.

Flugaur said the Waukesha County process/policy was used as a template to create Portage County's pathway. He also clarified that the Circuit Court Access Program (CCAP) cannot be used because it covers the State of Wisconsin only; no other states.

Frank-Loron said that if for some reason this does not go through, there are workarounds. As an example, some have their Sheriff's Office run the NCIC report, provide the information, which is then shredded.

Flugaur asked for comments and questions on the resolution. Hearing none, the resolution was approved by consensus.

6. Adult Drug Treatment Court Update by Judge Flugaur and Andrea Behnke

Flugaur noted there will be a graduation in Treatment Court during the pandemic, which will not be the usual celebration with numerous people in attendance, having a cake, etc. Only family of the graduate is invited to attend in person, as well as Treatment Court participants who know the graduate well. Social distancing will be in place and cupcakes will be offered.

Flugaur said there have been a couple Treatment Court participant terminations after three months of struggles with no clean test. Sanctions, extra treatment, etc. have not worked. Ultimately, the individuals were put in the termination phase and then terminated. These individuals joined Treatment Court in March and did not have the benefit of a "normal" Treatment Court. In addition, they missed testing, case management, etc., which are Treatment Court requirements.

Flugaur informed members he would be stepping down as presiding Treatment Court Judge. He created Treatment Court with Kate Kipp, former Justice Programs Director, which took years to put together. Treatment Court has been in place for 3½ years, and Flugaur noted he has presided since the start. Treatment Court Judges should commit to serve two years and he has completed more than three. Judge Shannon will preside when he steps down. On July 27, both he and Shannon will preside, on August 3 Shannon will preside, and on August 10 Flugaur will preside for the last time during the participant graduation. Flugaur stated this graduate fought termination and won and has made an amazing turnaround. Flugaur expressed that he has confidence in Shannon and told him Treatment Court can be challenging at times.

7. Topics to be Considered at Future Meetings

With no topics offered and no further business to come before the Coalition, the meeting adjourned at 8:20 am.

Respectfully submitted,
Paula Cummings
Recording Secretary

DRAFT

2020 SPECIAL MEETING PER DIEM – EXPENSES REPORT (revised at County Board Mtg on 2-19-19)

GOVERNING COMMITTEE: JUSTICE COALITION

Please indicate if this is a BACK-TO-BACK MEETING to eliminate double mileage _____

Please indicate if this MEETING WAS MORE THAN FOUR HOURS _____

** see reverse side for explanation of policy

MEETING LOCATION: PORTAGE COUNTY VIDEO MEETING

DATE(s): July 16 2020
(month) (day/days) (year)

PURPOSE OF MEETING: (explain in detail or attach copy of agenda, failure to explain thoroughly may result in denial)

NON-MONETARY BONDS WORK GROUP MEETING

PRIOR APPROVAL TO ATTEND MEETING: [Signature] 6-22-20
(Chair) (Date)

MEAL INFO: Indicate date and type of meal. Maximum amounts: B & L - \$9.00 D - \$17.00 (daily max. amt. \$35.00)
Milwaukee & out-of-state rates are: B & L - \$10.00 D - \$20.00 (daily max. amt. \$40.00)
Meal receipts are not required.
B=breakfast L=lunch D=dinner

If the travel is to attend a conference, the daily allowance will be reduced by the amount of a meal included in the conference cost. For example, if conference fees pay for lunch, then the total amount of \$9.00 for lunch will be excluded from the daily allowance.

MEMBERS PRESENT

STAN POTOCKI

MILEAGE

-0- VIDEO

MISC/MEAL EXPENSES

This special meeting is payable pursuant to the Special Meeting Payment Policy and Ordinances on reverse side.

GOVERNING COMM SIGNATURES AFTER ATTENDANCE

Date Signed _____

[Signature]

EXECUTIVE/OPERATIONS COMMITTEE

Date Signed _____

(Chair)

(1st Vice-Chair)

(2nd Vice-Chair)

(Member)

(Member)

Charter of the Portage County Justice Coalition

1. **Name.** The name of this organization shall be the Portage County Justice Coalition.
2. **Mission, Purpose, and Goals.** The Portage County Justice Coalition is an advisory body with the charter to achieve justice for the community, victims, and offenders, through effective and appropriate responses to crime and its prevention. Decision making in the coalition is based on collaboration, cooperation, objective data, and proper stewardship of resources. Goals include improving the functioning of the courts and the judicial system by providing increased access for citizens to the courts, to create and revise effective civil and criminal process and procedures, and to improve communications and coordination between the courts and affiliated departments and agencies.
3. **Coalition Stakeholders.** The stakeholder membership includes the following:
 - Child Welfare Supervisor
 - Circuit Court Judges for Portage County (3 Judges)
 - City Attorney
 - Clergy
 - Clerk of Courts
 - Community Corrections Supervisor
 - Community Members (3)
 - Community Programs Coordinator
 - Corporation Counsel or designee
 - County Board Chair
 - County Board Supervisors (4)
 - District Attorney or designee
 - District Court Administrator
 - Family Crisis Center, Assistant Director
 - Finance Department Director
 - Health and Human Services Director
 - Home Detention Program Officer
 - Information Technology Director
 - Jail Captain
 - Jail Social Worker
 - Justiceworks President
 - Juvenile Justice Supervisor
 - Marty Skiiba's position
 - Mayor of Stevens Point
 - Plover Chief of Police
 - Portage County Chief Deputy
 - Portage County Executive

Portage County Sheriff
Portage House Director
Public Defender's Office
Stevens Point Chief of Police
Superintendent of Juvenile Detention Facility
Victim Witness Coordinator

Portage County currently funds a full-time position entitled JUSTICE PROGRAMS DIRECTOR whose job description includes working closely with elected officials, community leaders, government staff and the Portage County Justice Coalition in the evaluation of systems-wide justice issues and accomplishing county goals and objectives.

4. **Coalition Membership Description.** Membership as set forth is set by the stakeholders and sponsors with concurrence of the Justice Coalition Chairman. The responsibilities and expectations of the membership shall be to:
 - a. Serve as an organizational representative to the coalition.
 - b. Attend regularly scheduled meetings.
 - c. Coordinate and collaborate within their own organization to move coalition activities forward, to educate and inform represented organization as appropriate.
 - d. Ensure and endorse community participation in the process and goals of the coalition.

5. **Meetings and Procedures.** Meetings are held quarterly, scheduled at 7:45 AM to 9:00 AM usually on the third Thursday of the month at the Portage County Annex, in Conference Rooms 1 and 2, or as called by the Coalition Chairman.

Quorum: A meeting quorum shall be more than 50% of the membership as determined by the Coalition Chairman.

Member Acceptance: New membership must be approved by the Coalition Chairman and a majority of the coalition.

Voting: Voting shall be by consensus wherever possible. Issues may be decided by reference to Robert's Rules of Order.

Member resignation/removal: As determined by the Coalition Chairman.

6. **Coalition Member Roles:** The Coalition Chairman shall be a Circuit Court Judge as determined by the Circuit Court of Portage County.

Chairman's duties:

- a. Set the agenda and meeting dates and times of the coalition.
- b. Provide leadership and guidance for coalition work group, sub-work groups, and the Program Director.
- c. Chair the Executive Committee of the coalition.

Executive Committee: There shall be an Executive Committee of the Coalition subject to the call of the Coalition Chairman. The Committee shall meet quarterly to receive and review reports submitted by the Program Director. The Executive Committee shall be comprised of: the Coalition Chairman, County Executive, County Board Chairman, Human Services Director, Corporation Counsel, Program Director, County Sheriff, and designated citizen. The duties of the Executive Committee shall include review and consideration of ongoing issues of significant impact on the issues and work of the coalition, and shall provide oversight and direction to the Program Director.

Program Director: The Program Director will serve as the operations executive of the Coalition, under the direction of the Coalition Chairman, responsible for developing, coordinating and evaluating programs that serve adult and juvenile offenders in order to promote a range of productive and rehabilitative options for use by the criminal justice system. The Program Director exercises independent judgement and initiative in working with offenders through alternative programs, with primary concern for public safety and the reduction of recidivism. The Program Director will work closely with justice system partners, including but not limited to, the Circuit Court Judges, Jail Administration, Probation and Parole staff, and Human Services, to accomplish the goals of the justice program. The Program Director will also work with and assist elected officials, community leaders, government staff, and the Portage County Justice Coalition in the evaluations of system-wide justice issues and accomplishing County goals and objectives. Work assignments will originate from goals outlines by the Portage County Justice Coalition and its work groups, and from administrators and justice system partners, and will be performed under the administrative direction of the County Executive.

Secretary: These duties include recording, preparing and finalizing the official minutes of the coalition and other administrative duties as assigned.

7. Pretrial Services Subunit. The Pretrial Committee shall be responsible for evaluating whether current pretrial decision-making concerning bail and pretrial supervision follows evidence-based practices, and if not, modifying current programs and practices to be in-line with best pretrial practices, consistent with available resources.
8. Work Groups. The bulk of the work and programs of the coalition shall be brought by work groups dedicated to the review of specialized topics, with the general charter of program review, consideration of alternatives, and recommendations to the coalition.
 - a. Custody Based Policy and Programs
 - i. Jail Overcrowding Work Group
 - ii. Juvenile Detention Work Group
 - iii. Jail Utilization Work Group
 1. Jail Classification/Offender Assessment Work Group
 2. Electronic Monitoring Work Group
 - iv. Co-location of Huber and Portage House
 - b. Community Based Policy and Programs
 - i. Day Report Work Group

- ii. Community Service Work Group
- iii. OWI/Intensive Supervision Work Group
- iv. AODA/Mental Health Work Group
- v. Intervention Work Group
- vi. Drug Court Work Group
- c. Special Projects
 - i. 72 Hour Holds/Truancy Ordinance Work Group
 - ii. Peer Court Work Group
 - iii. Grant Applications (Drug Court, TAD, Community Problem Solving, Road Crew)
 - iv. Restorative Justice Work Group (Justiceworks)
 - v. Municipal Court Work Group
 - vi. Justice Center Work Group (Citizen Advisory Public Education)
 - vii. Prescription Drug Abuse Work Group

Added Pretrial Services Subunit Resolution Approved: July 21, 2020

Revised and Approved by Consensus: January 25, 2016

Created on March 20, 2008

A SAMPLE OF SOME THINGS THAT THE COALITON HAS STUDIED SINCE 1999:

- Creation of Full Time Position of Director of Justice Program (formerly Justice Planner).
- Juvenile Truancy Ordinances
- Truancy Court
- 72 Hour Holds/Secure Detention
- Assessment/Classification of Jail Inmates
- Expanded Use of Electronic Monitoring
- Creation/Implementation of Day Reporting Program
- AODA Committee
- Creation/Implementation of Pre Trial Supervision Program
- Restorative Justice (the precursor to the creation of Justiceworks)
- Community Corrections Pre-Sentence Reports
- Creation of Teen Court
- Participation in the PONI Long Range Facilities Study
- New Justice Center
- Jail Data
- Geographic Restrictions on Warrants
- Approval of the Volunteer in Probation Program
- Municipal Court
- Televising Intake Court
- Non-Execution of Unpaid Fines
- Risk Assessment by District Attorney's Office
- Statistical Analysis of Recidivism of Pre Trial Supervision Participants

- Jail Proximity to Courthouse
- Video Court
- Prescription Drug Abuse
- Restitution
- Jail Reduction/Community Service
- OWI Intensive Supervision
- Public Education Committee – Courthouse Referendum
- Objective Based Classification
- Jail Overcrowding
- Juvenile Detention/Closure Study
- Criminal Justice System Data
- PSI Policy
- Veterans Court
- Warrants Committee
- Mediation/Foreclosure
- Creation of CRP Program
- Transfer of CHIPS cases to Corporation Counsel
- Creation of Drug Court Program
- Expansion of GPS Home Detention
- New Government Building
- Non-Monetary Bonds
- Domestic Violence Treatment