

MINUTES
Justice Coalition Executive Committee
February 10, 2011

Members Present: Judges Flugaur and Finn, Tom Eagon, John Charewicz, Patty Dreier, Phil Idsvoog, Mike McKenna, and Melissa Dalkert

Member Excused: Judge Fleishauer

Others Present: Paula Cummings, Justice Programs Department

Chair Flugaur called the meeting to order at 8:00 am in Conference Room F of the Portage County Courthouse.

Flugaur referred to a recent PowerPoint presentation given at the Justice Coalition meeting regarding the OWI/ISP Program as prepared by Kathy King, Justice Programs Department Director, at the request of Dreier. The PowerPoint resulted in a press release prepared by Flugaur and Dreier. An exchange between Charewicz and Flugaur followed, during which the validity of Justice Programs Director Kathy King's analysis capabilities, program numbers, and dollar figures presented in the PowerPoint and press release were questioned by Charewicz and defended by Flugaur. It was decided that Jennifer Jossie will be invited to the next Executive Committee meeting to discuss other costs that may pertain to ISP when referrals are made for AODA and mental health counseling.

1. Discussion of the Executive Committee's Meeting Schedule for 2011

Flugaur suggested monthly meetings, lasting 45 minutes, with the next meeting on March 10. Monthly meetings will be held the second Thursday of the month at 8 a.m.

2. Discussion of Monthly Reports to Executive Committee and What Information is Available to Help Direct Future Agendas for the Justice Coalition

Flugaur stated Cory Nelson (Sheriff's Department) and Amy Modrzewski (IT Department) are working on information from the jail that can be put into report form. He referred to information Eau Claire receives on a monthly basis regarding jail population, including who is in jail. This information will foster discussion on treatment and programs to reduce recidivism.

A report on the number of males and females in jail is done all the time. An additional breakdown of information could include statistics on age, charge status (who is there), days in confinement, and type of charge (child support/felony/misdemeanor/etc.). Some offenders may be there on more than one charge. Reports are also necessary from Day Report, including the number of offenders, number of violations, etc. Flugaur asked if there was any other type of information the group would like to see from the jail and Day Report, and noted this can be adjusted as we see what information we actually receive.

Flugaur stated he lost the capacity to see who was in jail, which was information he found useful, but now that has been restored to his computer. He provided a handout of the information he receives (which was collected at the end of the meeting due to juvenile names being included). The information provides demographics by cellblock, including: Huber, Home Detention, Huber transfers, juveniles, and those shipped out of County.

3. Discussion of Needed Changes in Policy and Procedure Surrounding Sentencing of ISP Participants Convicted of OWI -3rd and Subsequent Offenses (Without these changes, the jail population could increase substantially.)

Flugaur distributed copies of statutes pertaining to OWI laws. Currently, those charged with OWI 3's participate in ISP, and if successful, they receive the minimum mandatory jail sentence with the remainder served on home detention. This changes with the new laws, and Flugaur feels it takes the "guts" out of the ISP Program and removes the offender's incentive to change their lives.

Flugaur then referred members to State Statute 346.63(1) and read aloud subs (bm), (cm), and (dm). This area of Statutes deals with jail time reduction with treatment. OWI 4's are now a felony, with a tougher sentence.

Flugaur noted he spoke to Judge Scott Woldt, Circuit Court Branch II from Winnebago County, who has established a program that is in compliance with new OWI laws.

Finn noted a March 14 meeting of a newly formed ISP Review Committee consisting of several stakeholders, a MADD representative, and the Public Safety Committee Chair. This committee will look at extending ISP until sentence obligations are completed.

Finn advised of another group he would like to pull together to meet at least one time to look at logistical problems involved with OWI 3 and up having to report immediately to jail after sentencing. In addition to reporting immediately to jail, the requirement of an ignition interlock must be dealt with, as well as having a DOT assessment completed. Previously, the offender would contact the jail to schedule a date to begin serving their sentence; it did not happen immediately after being sentenced in court. This group would include stakeholders and ignition interlock installers. There will be issues, if the jail is not ready for the offender.

Flugaur noted reports/information he requested be developed by the IT Department will not be available for the March 10 meeting and asked whether members wanted to postpone the meeting until April. Eagon felt mental health issues/costs could be discussed at the March meeting. Dalkert suggested asking Jill Hytry to attend that meeting. Flugaur stated he will invite Jennie Jossie to the March meeting where mental issues/costs will be discussed. It was suggested Amy Marcott also be invited. Dreier clarified Marcott oversees the Community Support Program related to mental health for adults.

With no further business to come before the Committee, the meeting adjourned at 9 a.m.

Respectfully submitted,
Paula Cummings
Recording Secretary

MINUTES
Justice Coalition Executive Committee
March 10, 2011

Members Present: Judges Flugaur, Fleishauer, and Finn; Tom Eagon, Patty Dreier, Phil Idsvoog, Mike McKenna, Maggie Hogan, and Melissa Dalkert
Member Absent: John Charewicz
Others Present: Jennifer Jossie, Finance Director, and Paula Cummings, Justice Programs Department

Chair Flugaur called the meeting to order at 8:00 am in Conference Room F of the Portage County Courthouse.

1. Discussion of the Executive Committee's Meeting Schedule for 2011

Flugaur noted members received Justice Coalition and Coalition Executive Committee meeting schedules with their agenda packet.

2. An Update from Judge Finn on the Progress of Ad Hoc Committees Working on Potential Changes in Policy and Procedure Surrounding the Sentencing of ISP Participants Convicted of OWI-3rd and Subsequent Offenses

Flugaur reported two workgroups have been formed and each met once to-date.

Finn, who chairs both workgroups, noted the ISP Review Committee met and discussed that pre-trial offenders attend group and ISP, and continue until sentenced. The group concluded that a post-sentence program is needed.

The next group, an OWI Committee, met regarding how to educate OWI offenders about the law/process prior to having to report to jail. An ignition interlock representative/installer was present at this meeting. It was discovered the interlock device is not voice activated as first thought; anyone can blow into the device. Rochelle Kizewski, from ATTIC Correctional Services, who works in the County ISP Program, indicated she now has a better understanding of the process and will educate offenders as to what they need to do prior to jail. Fleishauer stated it would be good to let people at pre-trial know they should talk to Kizewski. Eagon suggested an information sheet be developed and provided to offenders. Dalkert added there are two separate revocations for ignition interlock. Flugaur noted those as: 1. the device is installed on any vehicle you own or have title to, which starts as sentenced by the Judge; and 2. the other takes place when you apply for an occupational license. They are two separate orders. Flugaur noted the group will meet again. An informational sheet to be prepared by the District Attorney's Office will be shared with attorneys.

Flugaur referred to the February 10, 2011 minutes and hearing no comments/edits, found consensus with the minutes as presented.

3. A Discussion with Jennifer Jossie of a More Accurate Cost/Savings Analysis for ISP When Considering Referrals for Mental Health and Drug/Alcohol Assessments and Treatment

Flugaur stated Charewicz took issue with the press release that included information/cost-saving figures related to the OWI/ISP Program as presented at the last Justice Coalition meeting. Flugaur asked Jossie to conduct an independent analysis of the figures.

Jossie stated she met with King and members of the Sheriff's Department to help analyze the report in question. She described her approach as being in phases. Phase 1: determine real costs (ISP/staff/etc.) and then agree on the costs; Phase 2: determine a reasonable estimate of AODA/mental health costs; and Phase 3: look at avoided costs and come up with a formula people can agree on.

Jossie felt King's report is a bit of Phases 1 and 2. She felt there are discrepancies in some numbers and some information is missing. As an example, King's staff costs and HDP staff costs are not included. Jossie also felt there are variances in datasets caused by different "lingo" being used.

Flugaur felt avoidance costs will never be known. As an example, an offender reports "jail saved him", which results in avoidance costs that cannot be determined. Flugaur felt it safe to assume that HDP, ISP, and/or jail, influenced the 83% who did not recidivate. Adding, figures we can determine, we should determine. Idsvoog stated the more data, the better. He felt there are variables in the value system of people at this very meeting; from everyone goes to jail, to no one goes to jail. He also added, the better the data, the better the argument in favor of programs, when going to the County Board for funding.

Jossie offered the Finance Department to set-up recurring/on-going database building, which would allow parameters to change over time. The data is valuable in decision-making and Fleishauer agreed this is something we need.

Flugaur noted 101 individuals were sent to AODA in 2010. This has costs associated, but referrals should not stop. Jossie noted most go to Ministry Behavioral Health, which Portage County contracts with, and data is available regarding those in AODA treatment. Finn asked whether the referrals are all from ISP or if others make referrals. Jossie replied that some referrals are made by others, but those numbers could be determined/separated. Eagon stated many cannot afford individual therapy and utilize groups provided by ISP instead. There are numbers available for private pay versus Portage County paying.

Flugaur asked how many of the 101 referrals went to a private clinician versus participating in ATTIC groups, because Ministry Behavioral Health would have additional costs. Fleishauer asked about DOT grant money and Jossie replied that money is used for OWI treatment programs, which is tracked and reported. Fleishauer felt both entities could be providing services to the same people. Jossie stated at Health and Human Services, people seeking treatment on their own are coded separately. Fleishauer noted even though some individuals are not directed there, they could still end up a cost to Portage County. Jossie felt she could match up program datasets.

Dreier stated she is all for data/datasets and formulas. She felt we must agree first on boundaries; where does data start and end for programs related to the Justice Programs Department. She sees boundaries as the first step and datasets as the second. As for Phase 1 real costs, Dreier feels the system must be mapped to determine where to start measuring real costs. The result must be something agreed on. As an example, recidivism must be defined, and all must agree on the definition or you cannot measure associated costs. Jossie stated Phase 2's mental health/AODA costs will involve a lot of estimating.

Dreier stated when we look at costs, we must look at benefits. She felt you can guess some avoidance costs, but there are benefits to avoidance costs too. Such as the ability to keep jail staff safer by offering mental health treatment to the offender. With treatment you avoid insurance costs related to injury. How do you measure that? Dreier said jailers have the most dangerous job in Portage County.

Idsvoog said there is a need to, and we should, clearly define operational costs. Dalkert asked if the cost of extra days related to bail jumping are included, because for some, ISP adds time in jail. Flugaur stated ISP has discovered non-compliant offenders, because without ISP who knew if the offender was complying or not. Fleishauer agreed, noting that ISP has helped identify people with long term, on-going problems. Hogan felt that added to the cost. Fleishauer replied he sees that as a benefit, not an additional cost. Programs identify people who need to be there longer, and the ability to respond to those who cannot comply, is a benefit.

Jossie asked if the added jail time for bail jumping is a new charge and Flugaur replied yes. Flugaur clarified the 83% reported as not recidivating, did not reoffend with an OWI. They may have been charged with something else, but they did not commit another OWI. Dalkert agreed that ISP has saved people; some would have been on their way to prison had it not been for ISP.

Flugaur asked that Jossie continue working on the database/figures with stakeholders.

With no further business to come before the Committee, the meeting adjourned at 9 a.m.

Respectfully submitted,
Paula Cummings
Recording Secretary

MINUTES
Justice Coalition Executive Committee
May 12, 2011

Members Present: Judges Flugaur and Fleishauer, Patty Dreier, Phil Idsvoog, Mike McKenna, Maggie Hogan, Melissa Dalkert,
Member Absent: John Charewicz
Others Present: Dan Kontos, Sheriff's Department; and Paula Cummings, Justice Programs Department

Chair Flugaur called the meeting to order at 8:00 am in Conference Room F of the Portage County Courthouse.

2. A Discussion of the Strategic Planning for the Newly Developed Post-Trial Supervision (Probation) Program

Flugaur noted the Justice Coalition endorsed the Post-Trial Supervision program at its April 2011 meeting. A resolution will be moving forward through the committee/board process as relates to this program. Also, Judge Finn and Kathy King will make a presentation to County Board on this proposed program.

Dreier noted there is money for this program available in the Justice Program Department budget. The County Board will be educated as to how this program will fit the bigger picture, and the presentation will allow them to make better decisions by having an understanding of the program. County policies require County Board action on this contract adjustment with ATTIC Correctional Services.

Flugaur stated this will be a layperson-type presentation to the County Board. He noted a 17% recidivism rate with the current pre-trial OWI intensive supervision program (OWI/ISP) participants. In order to better address new OWI laws, post sentence supervision is proposed. Systems change, laws change, and Portage County adapts to those changes. OWI 2 offenders are eligible for the home detention program, and now OWI 2+ offenders are eligible.

Dreier stated she talked with Finn regarding the short timeframe for the program presentation to the County Board, the need to keep it understandable for everyone, and to include what the program is, how it fits, and what Portage County's program history has been. Dreier is looking forward to feedback.

Flugaur asked Dreier to describe the strategic planning process. Dreier described strategic planning as a 10,000 foot view on which to have a base to make decisions, establish priorities, provide general directions, decide things to consider on the table, and find funding solutions. She felt strategic plans are unique to each department, and will be reviewed and clarified as they come in. She will use them as a compliment to her priority setting. Community member input will be sought. Strategic planning will provide a picture as to why justice programs exist in Portage County, and how they can be made more effective with partnerships.

Idsvoog said he discussed the County Board presentation with King, and suggested the presentation be pragmatic and provide rationale, so when requests for funding come forward, members will not be blindsided and will have been given an opportunity for discussion, questions, and feedback. Idsvoog added, the question is, if you add something, what do you subtract.

1. A Review of Monthly and Quarterly Reports from the Jail and Day Report Center

Flugaur provided handouts (in original meeting file) relating to jail and Day Report data. These reports should be analyzed for trends. Flugaur met with Amy in County IT and they looked over information gathered in Eau Claire County as a starting point for Portage County's reports. It will take 6 months to one year to modify and synthesize the reports that hopefully can be boiled down to 1-2 pages for this Committee to review monthly. Flugaur walked members through each report, beginning with:

Handout #1 – Daily Jail Report. This report also includes data related to the Portage County juvenile detention center. The closing of some State juvenile detention facilities was noted, and Fleishauer suggested corresponding with northern Wisconsin County jails letting them know Portage County has a facility available for use. Kontos added that Ross Dick, Juvenile Detention Administrator, is completing a report on Portage County's facility, including the impact of State facility closings. Dick will be contacting the Juvenile Detention Facility Committee Chair Jim Krems in order to set-up their annual facility review/recommendation meeting.

Handout #2 – Portage County Jail Secure Population Snapshot for May 5, 2011. It was noted the "average age" figure is incorrect and the program will be adjusted to alleviate that from recurring. It was also suggested that a "primary designation" is needed under "charge status" figures because one individual could have several charges; therefore, appearing more than once in the figures. OWI offenders are not a large population of those in jail, and was noted OWI charges/convictions are going down. Hogan stated offenders housed at Lincoln County are not in these data figures and Flugaur stated he would make note of that.

Handout #3 – Portage County Jail Huber Population Snapshot for May 5, 2011. Fleishauer felt it would be interesting to know the percentage of AODA related offences. He felt the figure could be as high as 60-70%. Again, those housed out of County are not in the figures.

Handout #4 – Portage County Jail Average Length of Stay for April 2011 (Including the Juvenile Detention Center). Dalkert asked if the figures represent mean length of stay and Kontos replied yes. Fleishauer felt mean length of stay does not provide a lot of information. Idsvoog felt reporting the percentage would provide better information. Dalkert agreed, noting a person with a 360 day stay "kills" the average.

Dreier asked about overhead cost figures and whether those figures are greater for someone staying less than thirty days. As an example, if the offender is kept in the system for a longer period, is there less jail overhead spent. Kontos replied staffing is the same no matter the length of stay, and consumable cost the same as well. Fleishauer agreed, noting all offenders are booked in/out, and staff is always there. Kontos replied more cost is involved when housed outside the County. Dreier asked about medical costs and Kontos replied that is another issue and those figures vary. Dalkert provide the scenario that if someone is awaiting jail book-in, they have the opportunity refill and bring their meds with them; thereby saving jail med costs.

Handout #5 – ATTIC Correctional Services Program Reports. This detailed report was compiled by Brent/ATTIC. It was specifically noted that 4 positive results were found out of 1,442 breathalyzers. Dalkert asked if the 14 positive UA's were 14 different people, or if one person could be reported more than once, if they had several hits. McKenna asked how the THC level was determined and Dalkert replied an "error margin" is used. Dreier asked for clarification as to if a person's discharge meant they did not recidivate. Flugaur clarified that successful discharge meant no tests were positive. Fleishauer added that prior to the Day Report Program, he would guess one-half of participants would have tested positive.

Handout #6 – Portage County Pre-Trial Supervision Program Report for 2011. This detailed report was compiled by Rochelle/ATTIC. It was noted this program formerly included only OWI offenders.

Flugaur concluded the meeting stating he would meet with Amy from IT regarding comments gathered at this meeting. He hopes to have the number of pages members review reduced, so they can be looked over and understood quickly.

With no further business to come before the Committee, the meeting adjourned at 9 a.m.

Respectfully submitted,
Paula Cummings
Recording Secretary

MINUTES
Justice Coalition Executive Committee
June 9, 2011

Members Present: Judges Flugaur, Finn, and Fleishauer, Patty Dreier, Phil Idsvoog, Mike McKenna, Maggie Hogan, Melissa Dalkert, John Charewicz, Tom Eagon,
Others Present: Paula Cummings, Justice Programs Department

Chair Flugaur called the meeting to order at 8:00 am in Conference Room F of the Portage County Courthouse.

1. A Review of Monthly and Quarterly Reports from the Jail and Day Report Center

Flugaur provided reports to those present and noted they are self-explanatory for the most part. Charewicz pointed out the high number of bookings and releases (11/12) for the jail report dated June 8, 2011. There were 34 shipped on that same day at \$32 each.

Flugaur noted the Juvenile Detention Center (JDC) Ad Hoc Committee is meeting this month. He inquired as to the moving of a door that took place in the JDC. Charewicz explained there was one door for Huber and one door for the adult area. In order to expand (to increase revenue) the Huber dorm was made into a juvenile dorm, and if there are more than 4 juveniles it is utilized for juveniles and when the number is under 4, it is utilized for adults. Flugaur asked if the jail capacity is 79 to 87 and Charewicz answered yes. He noted that women are not put into jail classifications; whereas, they should be. If classified, 3 cellblocks would be necessary. Flugaur stated the JDC Committee meets yearly to review the JDC. Ross Dick has prepared an annual report detailing numbers, trends, etc.

Flugaur noted 9 offenders on the Home Detention Program (HDP) as reflected in the jail report, and a month ago, there were 17. The Committee referred to HDP statistics as prepared by Officer Penny Borski. Fleishauer asked why three people did not complete LSI assessments related to being eligible for HDP. Flugaur replied some offenders choose not to and some need handholding, which may not happen. He will request the "reason" field be added to the next report, as well as data on DOT assessments, number of groups attended, etc. Dalkert felt some OAR offenders are from different counties without HDP.

Flugaur referred to the ATTIC Correctional Services Day Report figures. He noted all those in the intensive supervision program (ISP) go to Day Report, but not all those going to Day Report are from the ISP. Flugaur pointed out the following highlights: assessments are done by questionnaire format, 4 out of 110 offenders were terminated, and 12 positive UA's with 2 being listed as "major violations-court". Nine of the positive UA's were offenders using prescribed drugs. They are asked to bring in the prescription bottle and sign a release of information so their doctor can be contacted to verify the prescription. Flugaur noted he visited the Day Report center and found it to have heavy traffic and run efficiently. As noted, Day Report had seen 1,427 offenders in one month. The HDP and Volunteers in Probation Programs had 100% of offenders successfully discharged. The Department of Corrections' offenders had a successful discharge rate of 62%. Those are higher risk offenders. Flugaur noted Brent Boodry (person who compiled the Day Report statistics) noted the period of time offenders are sentenced to Day Report has shortened lately and he will be asked to track and report on that trend.

Fleishauer noted the report does not give the number of "jail bed days saved" when ordered by the court. Flugaur explained the figure is difficult to come up with because it is hard to determine a correlation. As an example, some offenders sentenced to Day Report more than 4 times a week may otherwise have a higher bond. If they could not post it, they would be in jail pre-trial. Fleishauer agreed the figure is hard to determine statistically, but felt there is a relationship of some kind because the program keeps them out of jail. In the past, offenders out on bond were seen in bars/continuing to use alcohol by their agents, members of the courts, etc. Fleishauer felt the number of jail bed days saved should not be zero.

Flugaur asked if the Committee wanted a figure to be determined. Eagon felt jail bed days saved would be a substantial number. Fleishauer agreed, noting Day Report offers control over people not in jail. No Day Report equals more offenders in jail. Idsvoog felt knowing the figure of "most versus least" kept out of jail would tell the degree of efficiency. Dalkert felt you must factor in the credit for time served. Fleishauer cautioned the possibility of double counting an offender does exist. Dreier felt if everyone can agree on a formula to determine the number, a figure could be offered.

2. A Discussion of a Proposal by Jane Pejsa (Former County Board Member) Regarding the Evaluation of Recidivism of Offenders Who Have Participated in a Variety of Justice Programs Conducted Inside the Jail

Flugaur noted Pejsa was a County Board member who has moved from the area and during her time on the Board was interested in the justice system. Flugaur provided members a copy of a letter from Pejsa, in which she made her point for measuring program effectiveness because of recidivism. Idsvoog felt it a major point; an evaluation method is needed to demonstrate program reliability and validity. Fleishauer noted program staff attended training on motivational interviewing (MI). Finn noted MI training took place as part of what the County did with Brad Bogue and data analysis, evidence based practices, proxy scoring, etc. He felt there has been more involvement than Pejsa's letter suggested. As for predicting human behavior, you cannot predict it nor assign numbers. Fleishauer noted he attended a meeting with Department of Corrections' staff in which a presentation of the COMPAS risk assessment tool took place. The use of COMPAS will begin here in August, as well as utilized Statewide.

Flugaur felt it easy to know who was in jail, the programming they receive, and the number that reoffend. He has seen offenders come to court with a "diploma" for jail program completion and then reoffend. Should the program they used be ditched? Eagon stated assessments are being done to bring together the right people with the right program. He agreed that service providers who attended MI training are using it. Finn stated assessments are tools used at sentencing for treatment determination. Fleishauer asked Eagon if his office conducts LSI's and Eagon replied no, but they can be sent to Kathy King for assessment. He felt offenders who know the LSI would turn out good will use it, others who know the results will not be good, will not take the assessment. Dalkert felt the assessment's level of intrusion is a deterrent.

Dreier referred to Pejsa's letter and her suggestion for program value evaluation. Dreier felt the instructor should be evaluated as well, to identify the relationship between recidivism and who taught the program. Idsvoog felt an outside individual trained in statistical analysis is necessary to avoid subjective judgment.

Flugaur stated he would speak to King and Finn, and follow-up on Pejsa's letter. Flugaur felt Pejsa made legitimate points. He reminded members there will be a Coalition meeting in July rather than an Executive Committee meeting.

With no further business to come before the Committee, the meeting adjourned at 9:10 a.m.

Respectfully submitted,
Paula Cummings
Recording Secretary

MINUTES
Justice Coalition Executive Committee
September 8, 2011

Members Present: Judges Tom Flugaur, John Finn, and Fred Fleishauer, Patty Dreier, John Charewicz, Tom Eagon, Anne Renc
Members Not Present: Phil Idsvoog and Mike McKenna
Others Present: Paula Cummings and Kathy King, Justice Programs Department; and Stevens Point Journal Representative

Chair Flugaur called the meeting to order at 8:00 am in Conference Room F of the Portage County Courthouse.

1. A Review of Monthly and Quarterly Reports from the Jail and Day Report Center

Flugaur provided reports to those present and noted they are self-explanatory for the most part. Flugaur highlighted the following: Home Detention Program (HDP) is down from a spring high of 17 to 3 current; there are 29 OWI 3 and 4's waiting for sentencing; and the Juvenile Detention Center (JDC) population continues to fluctuate.

Fleishauer noted there were a lot of delinquencies mid-summer and now there are more Children in Need of Protective Services (CHIPS) situations. Renc explained school delinquency referrals are made and plea hearings take place in the summer, resulting in the mid-summer spike in delinquencies. Flugaur asked Charewicz to explain the circumstance in which the jail can gain 8 beds. Charewicz stated when the JDC population falls below 5, they go into a smaller cell, and a door is then closed between that area and the jail allowing additional adult jail beds.

Charewicz offered a snapshot of the jail this morning, September 8. There were 97 people in custody with 21 serving sentences, 20 probation holds, 12 executions, and the remaining are new charges. He noted the jail population this same time last year was down as well. He has seen the population "rollercoaster" over the last 15 months; the population is not stable. He further noted an abnormal amount of mental health issues in the jail population, with all five holding cells having 10-96 (mental health subject) people yesterday.

Flugaur referred to the Day Report data information for August 2011, read through a majority of the report, and noted most referrals are made by the Court or Department of Corrections (DOC). Currently, there are 125 offenders in the program, with more to be sentenced in the next thirty days. There were 111 UA's in August, with 18 positives, resulting in 5 "major" violations. Some offenders are able to show prescriptions related to their positive UA's. There were 1,560 breathalyzers given, with 12 positives. As expected, the lowest success rate involves higher risk DOC clients.

Dreier stated she likes the snapshot, but would prefer to see key measures given a trend-like look. Flugaur felt that a good suggestion and asked if a month-to-month comparison would suffice. Dreier replied even year-to-year would be good. King offered to provide year-to-date, monthly, and year-to-year comparisons because those reports are available. Flugaur replied that would be good, but only deal with key measures.

Flugaur stated the Justice Coalition recently endorsed a post sentence supervision program (PSSP), similar to County probation. If an offender participates in the pre-trial supervision program (PTSP), they would be eligible for PSSP. This program came about as a result of OWI State laws changing. Flugaur suggested a one-page PSSP description/process be developed.

Finn stated PSSP is an extension of the PTSP. Previously, an offender would stay on PTSP until sentenced. With PSSP, an offender can remain in programming for up to one year after sentencing. Sentences would be imposed and stayed per guidelines for OWI 3 and 4. PSSP would not include felony OWI's, which are under DOC probation.

Finn noted he had his first eligible offender in court yesterday, and the individual refused to participate in the PSSP. Flugaur added he had an offender last week who also rejected PSSP; he preferred jail time. This individual had spent 6-8 months in the PTSP.

Finn said imposed/stayed sentencing guidelines are based on the offender's blood alcohol content (BAC) level. After being categorized, the sentence is dropped 2 down on guidelines as relates to jail time only. Fines are not lowered. These shorter sentences are mandatory minimum combinations of jail time and HDP. If the offender violates while on PSSP, they go back to court. Finn noted the Clerk of Courts Office needs a program developed for this type of sentencing, and IT will be doing that. Once completed, a meeting will be held with Clerk of Courts staff. Finn noted an upcoming BAR Association meeting where he will explain the PSSP.

Fleishauer clarified that an offender on the PTSP can move to the PSSP and Finn replied yes, with a report and recommendation to do so. Offenders in jail not on the PTSP cannot be on PSSP. Finn stated the PSSP is ready to be utilized. He also noted PSSP participants do not have to start the same day as sentenced; rather, they have to report within 60 days.

Flugaur said he hoped the two rejections are not the trend for the PSSP. He felt offenders dedicated to change will go on the PSSP. He acknowledged the PTSP is difficult.

2. Jean Young the Asst. Regional Chief for the Department of Corrections Will Provide Information on COMPAS, the Risk Assessment Tool Now Being Used by the State and Portage County

Flugaur noted Young could appear today by telephone and he prefers to have her here in person at the next meeting. COMPAS is a tool to measure recidivism. The DOC will follow these individuals and new offences will be measured as well.

3. Kathy King Will Preview Additional Information that Will Be Collected in the Portage County Database for the Justice System and Programs in Portage County

King passed around a copy of the COMPAS manual, which explains the tool. Northpointe, the developer of COMPAS, has never done an implementation design like they want to do in Wisconsin. COMPAS is being made available to all counties in Wisconsin. COMPAS is a validated assessment tool. King explained we have been using version 7, DOC uses version 8, and version 10 is being developed. DOC has talked about COMPAS being provided free of charge, but Eau Claire County has entered into a Memorandum of Understanding (MOU), in which it states COMPAS will be free to them during the "demo period", which is an undefined period of time. A new MOU is being developed at this time.

King noted that a number of years ago Marathon County worked with Northpointe/COMPAS and received no useful data because they could not create specifics for the deliverables. The MOU allows for an interface between counties and the State. Should the County go to COMPAS, yes; it is less complicated, if all involved are using the same tool. King felt if using the programs over the years evolves to what the State is talking about, it will be good for Wisconsin.

The State Identification Number (SID) for offenders, rather than the DOC number, will be used with the tool. The SID will remain with the offender through and out of the system. The SID will have a number after it; i.e. SID-1. If the individual reoffends, the number will remain SID-1, if they are still in the system on that first case. Whereas, the County system is based on case number and a new case becomes a new event. The question is, if an offender goes through the County and DOC programs and reoffends, whose program failed? King stated these are some of her concerns. She proposes to partner with the State, use the assessment tool, and build our own database. We can consider merging or using their database when it is more developed.

Flugaur stated he has not been involved at the data collection level and asked Eagon what is collected in the District Attorney's office. Eagon replied a proxy tool is prepared on each offender, which is a basic risk assessment based on current age, age at first arrest, and number of arrests. Fleishauer asked if the proxy is used on all cases charged and Eagon replied yes, it is a personalized risk assessment. Cummings stated she receives the proxies from Eagon's office, and inputs the data into a spreadsheet. If the case is an OWI, another OWI related proxy is done. The OWI proxy asks current age, number of prior arrests, number of prior OWI's, and BAC level. Both datasets are shared with Brad Bogue (JSAT) who evaluates, determines risk, and "norms" the data provided them. King stated the dataset has been re-normed twice by JSAT based on the type of offenders seen in Portage County.

Flugaur referred to risk assessment tools used in Portage County; LSI / LSI-CMI. King noted that, at present, Portage County makes no decisions based on our proxies. Flugaur asked why we do not use our proxy information for HDP and shorter sentences. King replied the proxies we use are not predictive for sex offenders, domestic violence, etc. Many offences need additional tools. Motivational interviewing is also a screener for programming. The data we collect weighs in on decisions related to treatment and Day Report.

Fleishauer asked Eagon if proxy data is used to recommend sentence and Eagon replied no. Other tools and instinct are used, but the proxy has many factors attorneys look at. Fleishauer stated the COMPAS was used in a Clark County sentencing of a person age 30 with an OWI 5. This person's strengths and weaknesses were identified; including high job skills. King stated COMPAS offers typology, while other assessment tools do not.

Dreier went over what she has heard today. The State has COMPAS, it is not fully operational, and there is not always a positive history working with Northpointe/COMAS. Portage County can participate in the State's initiative now to not get caught without it later. In addition, Portage County has other ways to measure risks; we gather data and use it the best we can to guide decisions. We will continue on while doubling up on some data. King responded yes, we will look at the backend of what we want from the data, not just a frontend focus.

King provided a handout of core variables to be gathered and input into a web-based database by four agencies: Portage House, Dan Barth at the jail, Justiceworks, and the Justice Programs Department. At offender termination, we can check that programs are competently run. King asked what measures we want at the end of the offender's program. New violations? How long between criminal events?

King also noted when it comes to contracted services, she would like to see a performance based process and award contracts on that; contract compliance versus contract performance. We must deliver services that make a difference.

Flugaur asked how data will be input and King replied it would be entered into a web-based application. Flugaur asked when data entry would begin and King answered the goal is by the end of the year. Flugaur asked who is involved in this application. King responded JSAT and the County IT Department. Variables are being revised by a data team. Flugaur stated he would like the Executive Committee to define success at the next meeting. King noted that Idsvoog often asks if programs are working and what measures are used to determine that. King would like to see COMPAS evaluated within one year. King is seeking permission to continue working on the web based application and variables to be included. She would like to schedule training here this fall with JSAT, and would also like JSAT to meet with the Executive Committee. After data has been entered, it will be checked by JSAT because there is a need to cross validate. King's goal is to have the ability to rewrite contracts by June 2012 to include positive outcomes. Flugaur felt time is needed to digest information provided today.

With no further business to come before the Committee, the meeting adjourned at 9 a.m.

Respectfully submitted,
Paula Cummings
Recording Secretary

MINUTES
Justice Coalition Executive Committee
November 10, 2011

Members Present: Judges Tom Flugaur, John Finn, and Fred Fleishauer, Patty Dreier, John Charewicz, Tom Eagon, Phil Idsvoog, Mike McKenna
Members Not Present: Anne Renc
Others Present: Paula Cummings, Justice Programs Department; and Dave Medin, Doug Radtke, and Don Jankowski, County Board Supervisors

Chair Flugaur called the meeting to order at 8:00 am in Conference Room F of the Portage County Courthouse.

1. Discussion of the Proposed Jail Addition

Flugaur asked for an explanation of the 2012 budget amendment to the amendment, as well as the veto override. Idsvoog stated Medin, Radtke, Dreier and he met to come up with an amendment that would not be as drastic as the first one that pulled \$10 million dollars out for construction.

Medin provided background on the amendment to the amendment, using the University of Wisconsin-Stevens Point (UWSP) campus as an example of why the amendment was written and passed. In the 1960's, UWSP conducted a study of their campus area, which had their "hallmark" natural resources program located in an area not highly visible, rather than the center of the campus. After working with various entities, they accomplished having the hallmark natural resources program at the campus center while fitting together with the mall area, etc.

Medin stated Portage County needs to develop a campus plan that fits for generations to come. The plan needs to solve the problem and have space for the jail, administration, justice programs, and courthouse/courtrooms. The first phase would accommodate needed jail space. With jail capacity to be kept at 80%, Portage County has 62 of 79 total beds available. The State wants jail capacity at 80%. That leaves 62 beds for a population of 70,000. Jail population has not been below 60 in ten years, and we are now at 120 inmates. Medin feels the community would be behind this first phase to solve the problem. Medin stated in order to accomplish this, a campus plan/concept plan is needed to reserve space for three jail pods over time, as studies have suggested. Space is needed for courtrooms, jail administration, and programs. This would be accomplished over the long run, while the short run solution is a jail pod close to the existing jail. Idsvoog read through the first amendment and the amendment to the amendment. He then noted the County Executive's veto, which is on the County Board agenda for a veto override.

Flugaur asked why the amendment was vetoed. Dreier replied this amendment was scooted under the wire without going through the proper planning process in Portage County, including the Space and Properties Committee, in coordination with stakeholders on the Justice Coalition. She felt this especially true in light of there being a concept in mind, if only a possibility. Dreier acknowledged she was part of the meeting mentioned by Idsvoog, but she did not agree to it at all, although she felt the amendment leaned toward a better place than the first amendment. Dreier felt the bottom line is there are other concepts being used in corrections today. All County department space needs should be looked at together. Dreier felt it will take time to make sure the County does not make the same mistakes twice; as in rushing to design a certain concept when we have not planned through the picture that would give us a better result.

Idsvoog felt what motivated Radtke and Medin to offer amendments, was the fact that anything pertaining to the jail/jail expansion was taken off the capital projects list through 2017. Dreier clarified that in the capital project process, each department brings their specific needs forward to the County Executive, after governing committee review. As part of the 2012 budget, a three-year borrowing plan was looked at, so any projects through 2014 would become part of the debt service plan for Portage County. The jail project, as submitted by the Sheriff's Department, had the date of 2017; therefore, Dreier said "no" about a 2017 project because there was not enough information to say yes. What does saying "no" mean? It means next year the Sheriff's Department brings forward the same or similar capital project request because this action does not mean "no" forever. The submitted request was not enough to go on to forecast out beyond our current debt service plan. Dreier stated she was unaware of any conversation with stakeholders about what the jail/jail expansion would look like even though a price tag of \$10.65 million dollars was attached. Dreier stated she did not know how the cost figure was derived. Dreier reiterated that it is not a "no" forever; rather, she felt there is more homework to be done.

Flugaur asked if the veto is overridden, does it mean a comprehensive site plan and \$10 million dollars will be set aside. Idsvoog replied the \$10 million dollars are gone. His assumption, in terms of putting together a plan, is to go back to the model used before: Public Safety and Space/Properties Committees, gathering Justice Coalition input, etc. Idsvoog felt the general message received from the Sheriff's Department is they need space. Idsvoog noted a contrary point-of-view coming out of the Justice Programs Office/Kathy King that we can get along for a while without additional jail space by programs reducing the need for jail beds. That discussion is at odds and there is a serious difference of opinion.

Radtke stated he has a serious concern about shipping prisoners to Lincoln County and the affect it has on friends and family in Portage County. Being shipped to Lincoln County makes visitation difficult, and an imposition on the good citizens of Portage County. Radtke felt a 2017 jail expansion project date in the Capital budget was too late and the County needs to look at things way before that. Radtke said when the County Executive said no to the capital request, his impression was the project would not be looked at until 2020, 2030, or nothing was going to happen at all. He added nothing has happened since the two failed project referendums. Radtke agreed with Medin in that we need to plan and decided to seek a budget amendment. As a courtesy, he sent something to the Finance Committee, which allowed Finance Director review with respect to dollars associated with the project and the change in budget. The Finance Committee approved the amendment, and then it went on to the County Board. Radtke stated this is the prescribed procedure for amendments to the budget; it does not have to go through Space and Properties, Justice Coalition, or anywhere else, other than County Board.

Radtke stated he took out of the long range plan data associated with jail expansion and put it in a resolution. He acknowledged that "raised a lot of hackles", especially the \$10 million dollar figure. Radtke felt Medin had a good recommendation with respect to changing his amendment, which was then presented to the County Board. Radtke noted the amendment says "add comprehensive site planning expenses for long range campus plan for County operations", which he feels is needed, and he cannot understand how that can be vetoed. The amendment further says "which incorporates the study of a possible jail pod"; not that we absolutely want a jail pod. Radtke felt the study could say we do not need a jail pod, we need something else, and that is what we should do. He reiterated he does not understand the veto and hopes it is overridden at the County Board meeting later today.

Flugaur referred to the Juvenile Detention Committee, which may recommend closing the Juvenile Detention Facility because of the low numbers. This facility is studied yearly. With the concern about shipping adults, imagine shipping kids halfway across the State away from their parents. Radtke felt that is even more serious.

Fleishauer felt Radtke's description was a proper approach and he appreciated the concept of talking about this with a long range look. What concerned Fleishauer was the idea that Portage County would put a pod on to a jail that already does not work the way jails should work. Also, the concept in all the planning that has taken place, said we can build jails that reduce the supervisory ratio we have between employees and prisoners. Adding a pod may compound that problem for an indefinite period of time. If we are discussing a pod, that issue needs to be upfront and out there.

Fleishauer noted a basic premise to the Justice Coalition, which is: anyone who is a part of the Coalition, who is affected by the conduct of other people who work within that network (community members, probation/parole, jail, Sheriff, police departments, prosecutors, Judges, social workers, etc.) will talk about a plan/process before we implement it. That does not mean we sit there, listen, and pretend this is an important process, and then run about and do it some other way. Rather, it means when we bring a budget plan, we talk about it together. If we have a dispute between the Sheriff and Kathy King about space needs, that is a legitimate dispute because there is no solid, exact information to tell us the answer. We are trying to deal with that through collecting information so we can better project outcomes. The Justice Coalition is a place we are to take on this issue and decide how we cut it between them. It does not work, if everyone is not committed to it. Fleishauer felt it easy for all of us to lose that premise as we go about our daily responsibilities, but it is important when discussing a project this large, that you listen to the group and how it responds to a proposal. Fleishauer did not have a problem with the language of the amendment. Fleishauer felt the County missed a golden opportunity to bond money to do what we are trying to do. Making decisions to go ahead and begin working on a process and setting money aside to do this is important, because there is an obvious long time need. Radtke replied there is nothing in the amendment to preclude what Fleishauer just talked about. The amendment simply says we would like to do comprehensive planning; the campus concept is in there and should be kept in mind when we talk about it.

Flugaur stated he has chaired the Coalition for 12-14 years and they have been working under this process. He stated he was surprised when he heard about a jail pod concept about a month ago. Flugaur said he feels better after what was described here today, but he acknowledged the concerns expressed by Fleishauer are very real. Flugaur said those attending this meeting agreed to participate in the Coalition process, and he cannot help but think there was an end-run because people did not know about it. The Coalition is here to help and participate in the process.

Charewicz offered thanks to County Board members for the amendment because he does not think this process is going against Coalition or County Board wishes. He described the process as "putting a train back on the tracks" that was derailed in 2007. He referred to various studies that have been done, and he focused on Space and Properties Committee minutes from August 18, 2004, which included a resolution passed that listed the jail as the number one priority, health care number 2, and health and human services number 3. Charewicz does not believe the Committee would have gone along with this without Justice Coalition support. From then to 2005, it turned into the Justice Center and Charewicz stated he was all for that. He would give up the jail in lieu of something bigger, and would combine the Police and Sheriff Departments, more courtrooms, streamline getting people from jail to court, and from jail back to the streets. This plan involved more bed space, more courtrooms, and more rooms for programs inside and outside the jail. The price tag grew, there was dissention among County Board members, and from where Charewicz was sitting, the Mayor started calling the shots. The plan then went from out of town to in town, and the price shot up again, including operating costs. Everyone lost sight of this issue, no one took a clear position, and it failed. Charewicz did not think another study was necessary in light of various studies done since 2002. We know the jail population will always be high. Charewicz said when Day Report was implemented in 2000, the jail population dipped for one year and began climbing again; it did not slow down the climb. In May 2011, there was a jail daily population of 124; we are down to 95 in physical custody, 8 on Electronic Monitoring, and 7 that are our responsibility who are in hospitals or other facilities. Charewicz noted 11 people were released on Monday this week and we booked in two; numbers fluctuate. Charewicz stated over and over we have shown programs help, but they do not deter the jail population. Every study has the same conclusion. The County is congratulated on all their programs, but is told you are not going to get completely out of overcrowding without more jail space.

Flugaur agreed that programs cannot completely replace the need for more jail beds, but is very concerned that no one advised any of the Judges about a plan to build a jail pod. Idsvoog explained the timeline; stating no one felt the urge to say a lot because this was on the table for 2017 in the Capital Projects plan, but once that was taken out, amendments 1 and 2 came rapidly.

Flugaur said Charewicz has been part of the Coalition and part of this process, and Flugaur assumes Charewicz agrees with Medin about not just adding a pod to the jail, without any other planning as to how this will work, when every study says this should be coordinated – jail, courthouse, programming, etc. Charewicz replied he does agree, but the portion of the jail currently operated, unless we tear it down, we must have it staffed and at a higher rate than that of a pod because of direct or indirect supervision. That is the case even if the jail is remodeled into only Huber dorms, which is what Lincoln County did, and everyone else would go into the pod. Portage County could do that and we would not have to staff at the levels we do now. The problem is Portage County's Huber population is the smallest of all groups currently in jail. Probation/Parole and pre-trial are much higher than those qualifying for Huber. Linear design does not mix with pod design; it causes staffing issues.

Finn stated he and Jankowski attended every meeting since the PONI study, and as well as Citizens Advisory Committee meetings. The County has studied and studied, through Goldman, through Venture, etc. and he would not like to see another study. Finn felt that would be throwing away money because we have all these other studies on the shelf; we know what we are talking about, but we have not said anything since the failed referendums. Finn stated in the beginning he and Charewicz were on opposite ends, by the end of the committee meetings and studies, they were in the same corner. That happened through discussion, listening to others, concession, etc., and it worked. Finn felt it a good model in the end; unfortunately, it went down in the referendum. Finn noted he is glad this issue came up because he believes something needs to be done and we must all work through it.

Medin guesses a pod going up now would be disconnected from the existing structure, which would be put into some other service due to being an obsolete design. The pod would fit with a newer building in a different location. Finn noted the final Venture plan called for the courthouse, with jail expansion to the north, because the County could purchase property all the way to the former American Legion building. We were only going to build a courthouse, with an interim connection to the jail. Medin felt a mirror image would be possible, with a pod on the south.

Flugaur asked members of the Executive Committee if they support assigning an Ad Hoc Committee, made up of Coalition members, to work on this issue. He asked if anyone on Executive Committee felt the Coalition should not get involved in discussing the specific issue, the concept of which has been discussed this morning. Eagon felt that would depend on the outcome of the County Board meeting today. Eagon felt if the veto is overridden, a committee would be needed.

McKenna noted, from a technical point/policy discussion, there is approximately \$450,000 in a reserve account and the amendment gives some guidance as to its spending. If the veto is sustained, that language is gone and the money stays. Dreier stated the bottom line is that this type of planning is currently on deck. Space and Properties has tasked Dreier, Idsvoog, McKenna, Director of Facilities, and others to get together that campus concept and deal with the physical needs study pulled together through the Strategic Planning process. It does not take this amendment at all to do that because we were already on track to do it. Looking at the Sheriff's Department needs, along with needs of all other County Departments, is a better answer. Flugaur clarified that Dreier's position is that this Executive Committee should appoint an Ad Hoc Committee regardless of the County Board vote, and Dreier replied she urges that to take place.

With no further business to come before the Committee, the meeting adjourned at 8:35 a.m.

Respectfully submitted,
Paula Cummings
Recording Secretary