

MINUTES
Justice Coalition Executive Committee
February 14, 2013

Members Present: Judges Tom Flugaur, John Finn, and Tom Eagon; County Board Chair Phil Idsvoog
Others Present: Ross Dick, Justice Programs Department; Trish Baker, Clerk of Courts; Sergeants Dale Boettcher and Gina Boettcher, Portage County Sheriff's Department; Gayle Stewart, Portage County Planning and Zoning Department, Reid Rocheleau (citizen)
Excused: County Executive Patty Dreier, Sheriff John Charewicz, Corporation Counsel Michael McKenna
Absent: Anne Renc, Public Defender; District Attorney Louis Molepske

Chair Flugaur called the meeting to order at 8:06 am in Conference Room F of the Portage County Courthouse.

1. Review of Jail and Justice Program Statistics

Dick provided handouts and highlighted specific areas. Statistics indicate for 2012 a daily average of 61.9 jail inmates, with 51.5 males and 10.4 females. Also noted was a daily average of 37.1 inmates shipped to other jails, with 29.7 males and 7.4 females for the same time period. Dick stated that population will stay very consistent because those beds are bought and paid for. Boettcher stated the contract with Lincoln County was just renewed and is for two years, and added the cost for those beds is approximately \$33 per day per bed. Dick believes those are the cheapest jail beds in the State. Flugaur asked if anybody has ever figured out by doing the math whether or not Portage County is saving money by shipping inmates. Flugaur added we are spending more money by having a juvenile detention center. Idsvoog stated he does not think anybody has ever done the math involving costs of the entire operation. Flugaur stated former County Board Chairman Hintz stated to him it was cheaper to ship than it would be to build and staff our own jail. Flugaur asked when and if somebody is going to figure out whether or not it is cheaper and whether we actually saved money the last ten years by shipping. Flugaur stated he is using the experience of the Juvenile Detention Center. Flugaur stated they made a philosophical decision to keep the juvenile detention center, despite the fact that it costs us more. There were tradeoffs about kids being out of the county and not having access to their social workers, parents, and lawyers. Flugaur believes the same question should be analyzed for the jail and whether or not it is cheaper to ship than to run our own facility. Finn believes the numbers Flugaur is looking for would be in the Goldman study; however, they would not be as accurate as now. At that time, they were shipping to Waupaca, Waushara, and Clark and paying maybe \$45 per day. It was more costly then. Finn stated they should start with the Goldman study and the Venture Architects study. Flugaur stated he would like to know, and believes the County Board should know so they can make decisions.

Baker asked if it is typical for the number of jail inmates in the second half of the year to increase, and Boettcher said numbers seem to indicate that. Baker wanted to note it appears this was about the beginning of July, and they started issuing commitment warrants on criminal cases July 1st. Boettcher stated they have not seen much of an influx based on just commitment warrants. It appears there are more holidays and community activities where people tend to get into more mischief.

Dick referenced the "Juvenile Detention Center Population" statistics for 2012, which showed a daily average of 5.4 juveniles; 4.2 males and 1.2 females. Dick stated this is a population that vacillates wildly, and added this population trend is the opposite of the jail population, with higher numbers early in the year. Dick stated in the beginning of last year during his transition from Juvenile Detention to Justice Programs, the population was unusually high. Had that run across the entire year, they would have been way above 5.4 juveniles per day.

Flugaur referenced a spike in the female population near the middle of the year, and asked if that is accurate where there are times there are more females than males in juvenile detention. Dick explained the columns are stacked columns, and each column represents the population on a given date. The portion that is navy blue represents males, and the portion that is pink represents females.

Dick referred members to the "Pre-Trial Supervision Program-Admissions" line chart, which represents a two year time period. Dick noted admissions have gone up a bit. In December 2011 there is a noted drop, which was during the switchover to CCAP. Prior to the transition to CCAP, there was an automated referral system. During the transition to CCAP, there is a noted lull due to the loss of AS400 functioning. Once a system was back in place, the referrals picked up again. Dick noted the dotted line is a trend line, which indicates a gradual increase in the number of admissions monthly.

Dick referred members to the "Pre-Trial Supervision Program-Discharges" line chart and noted this is for a two year time period. Dick stated the majority of people going through this program, and making it all the way through, are being

discharged compliant. Finn asked if the people being discharged noncompliant were discharged at the end of the program and did not successfully complete it or discharged during the program. Dick explained if they were discharged noncompliant, that would be during the program. They could have ceased reporting or they started coming in and testing positive for alcohol, or a new arrest they were jailed for. Finn stated you cannot service them if they are in jail.

Dick referred members to the "Pre-Trial Supervision Program Participants on Last Day of Month" line chart and stated this is for a two year time period. Dick noted a linear trend showing progressively more people enrolled in the program on the last day. Dick added this does not mean they are staying in programming longer; there are a higher number of people who are being served. Flugaur asked if we are comfortably able to serve that number, and Dick answered yes. Flugaur stated the Judges have talked over the past three or four months about whether they are putting too many people in programming, because originally it was designed for 3rd and subsequent offense OWI. Flugaur stated he will put somebody on if they have two OWI's within two or three months, both times have blown over .20, and it looks like a problem. Flugaur added there are some drug offenders in programming as well. Finn explained the higher number of pre-trial program admissions in September and October 2012 were from when Fleishauer was appointed District Attorney and was asking everyone to go into programming. Flugaur wanted to make sure they keep close tabs on the programming numbers so they are not overburdening the system. Dick added that concern has never come up.

Dick referred members to the "Post-Sentence Probation Supervision Program Admissions and Discharges" chart for the time period September 2011 to December 2012. Dick stated they just began running this program in September 2011, so there is not a lot of data. Dick did not get an average on the chart, but did put a trend line on for the admissions. The reason there are not many discharges in the first half of the graph is because the program began in September 2011, and nobody had time to get out of programming.

Flugaur asked Dick to request that Tracy Springer keep track of the number of people in pre-trial who are successful; and how many of those do and do not go on to post-trial supervision. Flugaur believes half the people he has on pre-trial supervision are telling him, through their lawyer, that they do not want to go on post-trial supervision, even though there is a benefit of less jail. Flugaur would like to know what the reasons are, if they chose not to participate. It is Flugaur's belief they are sick of pre-trial supervision because it was intense and they would rather do more jail time and go back to their old lifestyle. Finn said he had two cases like this. The first was a person that got a job out of state and wanted to do his jail time and leave. In the second case, the attorney was not fully aware of the benefits of post-trial supervision, so he was given a 30 day continuance. At the next hearing, he opted for post-trial supervision. Flugaur stated he thinks at least one-third of attorneys say their client does not want to go into post-trial supervision. Dick asked if the Judges are permitted to ask attorneys the reasons their clients say no, and Finn said if he gets a sense the attorney does not know what is going on, he will get involved. Flugaur stated he will make sure the attorney understands their client will receive less jail if they go into post-trial supervision. Flugaur would like Tracy Springer to figure out how many are not going forward with post-trial supervision. Eagon stated his are just coming through, so he has not had the opportunity to find out one way or another.

Baker asked Dick if he is keeping track as to how many people have gone through the system, and come back with another OWI. Flugaur stated Kathy King did a huge study on this that went back through 12 years of data, and the data showed a 17% recidivism rate. Flugaur discussed what is considered a successful rate, and stated a lot of experts in the field feel if you go back three years and they haven't reoffended, that is considered success. They went back to the very beginning of the first people that went through, and 17% is very good. Flugaur believes Kathy King had national stats showing around a 35% recidivism rate. Baker stated when you combine pre-trial and post-trial supervision that is a lot of treatment the County is providing. She believes the numbers would be even lower for people that have gone through post-trial supervision. Finn wanted King to get out-of-state statistics also. The only out-of-state statistics King was able to get was from the Department of Corrections for people getting released from prison, and those numbers showed about 47% recidivism.

Dick referred members to the "Post-Sentence Probation Supervision Program - Number of Offenders on Last Day of Month" chart for the time period September 2011 through December 2012. Dick stated the number of people in the program has increased steadily since the program began. As of December, there were 20 people in the program. Dick added there is now a process in place for getting people out of the post-supervision program through early discharge. If they completed all obligations and have been on supervision for 14, 16, or 18 months, they do have the opportunity to get out of the program. Flugaur stated he appreciates the work done to put together the petition and procedure for early release. Flugaur explained if certain criteria are met, a petition can be filled out by program staff to request early release. This can all be done on paper without the need for a hearing.

Flugaur asked Dick if he felt there were any trends or anything he feels he should keep an eye on the next six months. Dick stated he thought over the past three years the number of female offenders in jail would start to go up more than it has.

2. A Discussion and Update on the Implementation of the Department of Corrections Project

Flugaur stated the last time the entire Coalition met, everything was a go and was going to be implemented. He asked Dick specifically if there were any cognitive or AODA groups starting yet. Dick stated the cognitive group cannot be run until the contract is signed. They are working on the deliverables in the Portage County contract. Staff has the necessary training and authorizations, and has undergone COMPAS training as well. At this time, they are dealing with issues such as language in the contract saying the substance abuse providers must have formal training in motivational interviewing. These counselors are master level clinicians and have substance abuse certification, yet they are told they should not be training unless they have a certain number of hours of motivational interviewing, including National Institute of Corrections instruction. Dick's response has been that he understands the role of motivational interviewing, but to say this is a critical piece of substance abuse counseling is misleading; a clinician like that is going to be relying on a lot of other things besides motivational interviewing. To say he cannot facilitate his group until he get this, erects an obstacle that the provider may not be willing to work through. This can be time consuming and expensive.

Flugaur asked when the first group will begin, and Dick answered he is aiming for the last week of February. Flugaur asked who will be the trainer in the first group, and Dick responded Portage House staff, Brock Roberts and Scotty Witkus. They will meet in the basement of the Law Enforcement Center. There will be approximately 15 in this group; there can only be 8 in the substance abuse groups, and no more than 10 in anger management. The best group size will be 10 or 12 in a group. Dick added licensure affects group size.

Flugaur stated probation agents will be referring their clients to the cognitive group, and asked if they will be doing this for the AODA group as well. If a Judge orders this as a condition for probation, they will eventually find their way to the program. Dick stated it depends on their COMPAS score. If an offender does not come out as a medium or high risk offender, they cannot be included in programming. Dick stated he has met with Shaun Morrow, Department Of Corrections, and the entire Probation and Parole staff. They will rely mostly on staff for the first round of referrals. Dick added Dan Barth may also have a few good referrals from the jail. Dick stated his goal is to get a group in and get some momentum, so they can open this up for the courts to use as a tool in sentencing. Dick emphasized having public defenders or defense attorneys going back and forth about an offender's COMPAS score for programming or sentencing is not productive; and is not an intended use of the program.

Dick stated they are working out details with the State, which also must approve all providers. The providers are on board and he has discussed contract elements with them. They are close to implementation.

Finn stated six years ago the Coalition authorized a group to start gathering statistics on risk to reoffend, utilizing a proxy score. Every person coming into the system would have a proxy score based on four questions. The goal was to find out who was low risk and avoid putting those offenders into programs. The District Attorney's Office was determined to be the place where statistics were gathered as everybody in the criminal system went through that office. Staff collected data for each offender and those statistics were gathered for five years. The numbers were going to be analyzed, but the program went by the wayside and the committee had not met in the past two years. When the new District Attorney took over, he determined his office would not handle this program anymore. The Judges met with District Attorney Molepske and King last week and determined three things happened to render this information irrelevant; COMPAS came in (which is the standard used by DOC) and is inconsistent with Proxy scores, the AS400 is no longer utilized in the criminal system, and Kathy King left. They are going to keep the statistics, but they are not going to keep collecting this information on new cases. The hope is that between now and the next coalition meeting, they can meet with personnel in Eau Claire who are using a Proxy system at the entry level by law enforcement. They want to learn how to utilize the tools as Eau Clair does to start a new system of collecting statistics to make predictions. Flugaur stated he appreciates the efforts, and after speaking with Molepske and explaining the goal of the Coalition, he believes Molepske has a better understanding of the Coalition.

3. A Discussion and Update on the Implementation of Warrants for Unpaid Forfeitures which began January 1, 2013

Flugaur stated the Coalition decided six years ago they were not going to issue warrants or executions on unpaid forfeitures. After several meetings, it was recommended to implement the program again, given certain parameters such as conducting Blessinger Hearings, to get people out of jail as soon as possible. The program has been implemented and running for six weeks.

Baker showed the first stack of warrants, which has not made it to Flugaur's desk yet. She stated the first step was to send out postcards notifying the person of the unpaid fine, and detailing steps to be taken to remedy the situation.

Approximately 500 cards were sent out so far, and a lot have come back with new addresses. Once a good deal of the postcards were sent, they would begin sending the warrants. Baker is personally reviewing all the warrants. Baker explained if warrants are entered electronically, the geographic restriction must be selected. If they are entered manually, the warrant must be signed manually. Baker asked different members of law enforcement what they wanted for their geographic restrictions, and each agency went through each warrant to determine restrictions. At that time, they did not know the electronic signature meant the geographic restrictions had to be chosen by the Judge. Baker said they need to discuss this. At this point, they are doing the warrants on paper so they can choose the geographic restriction. Baker stated there has been a tremendous response and many phone calls from the postcards. Flugaur asked if there has been any money collected from the phone calls, and Baker answered yes. Baker stated she intends to issue a press release prior to sending out any of the warrants.

Flugaur stated he always chooses in-county or adjacent-county only as geographic restrictions, as he does not want to have someone picked up from Milwaukee County on a \$200 forfeiture. This would add expense for law enforcement. He suggested they be in-county or adjacent-county only, unless law enforcement tells them differently. He suggested an email be sent letting law enforcement know all warrants are presumed in-county or adjacent-county only, except for specific exceptions.

Baker gave an update on Blessinger Hearings and said they have held three so far, which have gone fine. Baker stated one concern is it seems like people are being let go without making a significant payment plan. Another issue was a hearing was rescheduled to an earlier time and the public defender was not notified and was unable to appear for her client. She informed the public defender this was a work in progress and they would do better next time.

4. Other Topics to be Considered for the Next Coalition Agenda
Use of the Proxy tool.

With no further business to come before the Committee, the meeting adjourned at 9:00 am.

Respectfully submitted,
Gayle Stewart
Recording Secretary

MINUTES
Justice Coalition Executive Committee
June 13, 2013

Members Present: Judges Tom Flugaur and Tom Eagon; County Board Chair Phil Idsvoog, Sheriff John Charewicz; County Executive Patty Dreier (8:15 am); and District Attorney Louis Molepske (8:20 am)
Others Present: Ross Dick and Paula Cummings, Justice Programs Department; and Dave Worzalla, Court Commissioner
Excused: Judge John Finn and Corporation Counsel Michael McKenna
Absent: Anne Renc, Public Defender

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

1. Review of the Recent Jail and Justice Program Statistics

Dick provided handouts to those present (copy in meeting file). The first bar graph, titled "Pre-Trial Supervision Program Admissions", indicated an increase in program participants from 4.7 per month in 2011 to 8.8 per month during the first five months of 2013. Dick also noted the Wisconsin Department of Transportation OWI-Intensive Supervision Grant application period should be coming soon.

The next bar graph, titled "Pre-Trial Supervision Program Discharges", portrayed statistics indicating that over a 29-month period (January 2011 through May 2013), there were 125 (83%) discharged with successful, compliant completion and 25 (17%) discharged as noncompliant. Dick stated those are good numbers.

Page 3 contained a line graph titled "Pre-Trial Supervision Program – Number Supervised on Last Day of Month – January 2011 to May 2013". The program averaged 49.8 individuals over the entire 29 month period; with an average of 53.8 during the last 12 months.

Another bar graph was titled "Post Sentence Probation Supervision Program (PSPSP) – Admissions and Offenders Served – September 2011 to May 2013". This graph indicated 1.3 participants per month in 2011 and 2.6 in 2012-13. For the period September 2011-August 2012, there was an average of 6.9 offenders at month's end, and from September 2012 –May 2013, the average was 14.2 at end of month. To date, 20 offenders have been discharged from the program, with 18 rated as successful, which is 90%. Dick noted those on post trial supervision had also participated in the pre-trial program.

Flugaur noted PSPSP is used for OWI offenders; similar to an OWI court. This program in Portage County is not recognized as a specialty court. Dick added that Portage County has the services, but we have not been designated a specialty court. Flugaur felt these programs are institutionalized in Portage County and well run, with significant impact on people. Dick said individuals unsuccessful in the program are a result of not being in programming long term due no incentive/motivation to take part. Eagon asked the program's capacity level and Dick replied he was unaware because they have not had that discussion to date.

The next chart portrayed the daily jail population over the period January 2012-April 2013. The chart gave numbers for the following jail populations: males/females, shipped males/females, HPD males/females, and "other" males/females, which includes those in the hospital, etc. Flugaur noted a jail population spike in March and questioned why. Charewicz replied spikes do happen and there had been more criminal warrants executed at that time, as well as a fair number of OWI's.

Dick also provided a chart of regional statistics and population for 15 jails in close proximity to Portage County. Statistics included: A. The 15 jails have an average of 152 beds per facility (Portage County has 79 beds); B. Portage County ranks 3rd in population, while the jail ranks 14th in capacity; C. The 15 counties average 294.5 residents per bed, and Portage County has the highest ratio of residents to jail beds at 886 (55% higher than the number 2 ranking/461% higher than the 15th ranked county); D. The average shipping distance between Stevens Point and other county jails is 58.9 miles; E. Lincoln County, where Portage County ships inmates, is 51 miles from Stevens Point; and F. The 15 counties average 42,707 residents and Portage County's population is 70,019 (2010 census).

Flugaur commented that 886 residents per jail bed in Portage County is a really significant number. Flugaur noted they have heard "If you build it, they will come" statements. He felt striking a balance is important. Portage County routinely ships and those inmates have to be brought to Portage County court. Flugaur complimented the Sheriff's Office on a job well done in bringing inmates to court as needed and on a timely basis; court is not kept waiting for inmates to be brought

back to appear here. Flugaur went on to describe the period where Kimme and Associates was working throughout Wisconsin advising counties, many of which ended up over building or building to rent beds. Portage County did not do that.

Eagon asked for clarification whether the number of inmates in County, as depicted in the statistics, includes or does not include those inmates shipped. Dick replied the figures were obtained from the Office of Detention Facilities. Dick noted he spoke to Jail Captain Nelson, who felt our capacity was a bit higher. Charewicz explained the population figure being referred to is artificially low because inmates were shipped to Lincoln County during construction at our jail. Eagon felt the number may not be off and felt that is the ideal level. Dick added an 85% jail capacity is what we are after, and Eagon added that we have 35 of our inmates in another County.

Flugaur noted the chart indicates potential shipping partners as well. He further noted that at one time, Portage and Marathon Counties had been meeting on a possible regional jail facility. Dreier stated Waupaca County is trying to offer their jail as a facility Portage County can ship inmates to. Charewicz stated there have been preliminary discussions at this point. He also noted they have two deputies dedicated to shipped inmates.

Idsvoog questioned what may happen if Wisconsin lowers the OWI level to .05. Charewicz felt nothing much would happen from a law enforcement standpoint in that most individuals at a level of .08 are discovered by chance and .05 would be even more difficult to detect. Therefore, Charewicz does not expect the level of arrests to increase.

Flugaur commented that Portage County does a phenomenal job with the jail facility we have and the programming we offer to supplement it. There are fewer people in custody due to the pre-trial program.

The final chart offered by Dick included two specific areas of information for the 15 counties: property crime rates and violent crime rates. These figures were obtained from the Office of Justice Assistance. In Portage County, property crimes peaked in 2006 with 2,347 property crimes, and violent crimes also peaked in 2006 with 141.

2. A Discussion and Update on the Implementation of the Department of Corrections Project

Dick noted the Community Corrections Supervision Program name has been changed by the Department of Corrections to the Community and Residential Program (CRP). The State had returned their proposal to the County for review and it was resubmitted on May 24 with various changes and clarifications. From that point, we have not heard back. One notable point in the proposal was that the State had set the bar high on training requirements. If someone were to leave their position during this CRP funding timeline, training another person would take a couple of months to accomplish. Dick had also asked the State whether the Thinking-For-A-Change (T4C) program could be launched right away and the State responded no. T4C cannot begin until a contract has been signed. Dick does expect the proposal to be returned to him soon. At that point, Dick, Zach Bishop (Portage House), Amy Marcott (Health and Human Services), and a Finance Department employee, will travel to Madison and sit down to work out deliverables. Dick noted there has been another staff member change at the State level. Flugaur asked Dick's prediction as to when the CRP will begin. Dick replied July.

3. A Discussion and Update on the Implementation of Warrants for Unpaid Forfeitures, which Began January 1, 2013; Including the Effects on Jail Population, and the number and results of Blessinger Hearings – by Court Commissioner Worzalla

Flugaur noted that Clerk of Courts Baker will appear at the next meeting to talk about revenue in her office due to the warrants for unpaid forfeitures process.

Worzalla provided those present with a letter and list of Blessinger Hearings (copy in meeting file). There have been 12 Blessinger Hearings conducted so far in the 2nd quarter of 2013 and 27 were conducted in the 1st quarter, for a total of 39 hearings since the warrants process began. Worzalla's information noted that hearings decreased after Judge Finn ordered all warrants pulled that had been simultaneously referred to collections, which was done in response to an individual who had been picked up on a warrant after having paid the collections agency in full. Of the 39 individuals with a Blessinger Hearing, 14 remained in jail. Worzalla orders the individual to pay one-third of the amount of the warrant upfront and set up a payment plan for the balance. Under that process, \$5,793 has been collected upfront so far.

Worzalla stated individuals have a Blessinger Hearing within 24 hours of being picked up, and hearings average one per week. The hearings are conducted by video at 1:00 pm. He noted that sitting in jail does not excuse the fine. Individuals are sworn in to disclose their assets. Marcella Carlton, Clerk of Courts Office, has kept track of the number sitting in jail after the Blessinger Hearing.

Worzalla stated he could alter the one-third upfront payment to one-quarter, but feels it would not matter because someone else is usually paying for them. Eagon noted that some individuals are there on other charges as well. Flugaur

stated their time is concurrent and he would like Carlton to check on that figure because he feels 14 in jail is a higher number than we want.

Worzalla noted he did not require upfront payment in one case due to it involving a protective payee. Flugaur stated most individuals who are picked up pay by credit card and Worzalla only sees those without a credit card, etc. He also felt there should be a spike in Clerk of Courts collections. Charewicz felt there is an average of 2 individuals picked up per week. They are not searching for these individuals; they are folded into regular warrants, so the Sheriff's Office is not really noticing the difference.

Molepske asked if the cost for this process versus the revenue generated has been determined. Flugaur stated, if a person does not pay, they can be held in contempt of court. If the 14 individuals were sitting in jail anyway, there would be no additional cost to the County. He too, would like Carlton to determine how many of the 14 would have been sitting in jail anyway versus those sitting on the warrant for unpaid forfeitures. Molepske asked the formula used for being ordered to sit. Flugaur stated it is an arbitrary formula of \$50 a day, up from \$25 a day. The maximum sentence is 6 months for contempt.

Molepske asked about the possibility of working off the fine rather than sitting in jail. Charewicz noted those held in contempt are not qualified for work release. Flugaur noted there was a community service program offered by the County and utilized by the Parks Department. It worked well for those interested in participating because they showed up for work sober and on time when they were in custody, but when they were released, most failed to voluntarily appear for subsequent work days. Dreier noted the Highway Committee had asked if inmates could help with Highway Department work that could be accomplished using inmates and they were given the same answer. Charewicz stated it is a nice pool, but they are just not interested in working.

Molepske noted a verbal agreement questioned by the Village of Plover as relates to bail jumping resulting in physical custody or summons. The Village has told him they want a written policy. Eagon noted with a bond violation, it is discretionary for the law enforcement agency as to what happens to the individual. They are best suited to determine whether there is a major or petty violation; all situations are different. Flugaur noted there are policy/guidelines used at Day Report as relates to missed appointments and when bail jumping charges are filed. Dick stated the District Attorney's Office is notified of any missed appointments at Day Report.

4. Other Topics to be Considered for the Next Coalition Agenda

With no further business to come before the Committee, the meeting adjourned at 9:00 am.

Respectfully submitted,
Paula Cummings
Recording Secretary

MINUTES
Justice Coalition Executive Committee
September 12, 2013

Members Present: Judges Tom Flugaur, John Finn, and Tom Eagon; County Board Chair Phil Idsvoog; County Executive Patty Dreier; County Corporation Counsel Mike McKenna; and Public Defender Anne Renc

Member Excused: Sheriff John Charewicz

Member Absent: District Attorney Louis Molepske

Others Present: Ross Dick and Paula Cummings, Justice Programs Department; Trish Baker and Marcella Carlton, Clerk of Circuit Courts Office; and Cory Nelson, County Sheriff's Office

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

1. Review of the Recent Jail and Justice Program Statistics

Dick reviewed charts he provided members, beginning with the "Pre-Trial Supervision Program Admissions" chart, which provided statistics during the period January 2013 to May 2013. During 2012, the Pre-Trial Program averaged 6.2 admissions per month, and an average of 8.8 admissions per month through May 2013.

The "Pre-Trial Supervision Program Discharges" chart provided statistics on compliant and noncompliant discharges for the period January 2011 to May 2013. There were 125 individuals discharged as compliant (83%) and 25 discharged noncompliant (17%) during that period of time.

The next chart titled "Pre-Trial Supervision Program – Number Supervised on Last Day of the Month" covered the period January 2011 to May 2013 and indicated there was an average of 49.8 individuals in programming at the end of each month during that time period. Noting that over the last 12 months (May 2012-May 2013) the program averaged 53.8 individuals.

Dick noted the Post-Sentence program began in September 2011 and offered a chart, "Post Sentence Probation Supervision Program", that portrayed admissions and offenders served over the September 2011 to May 2013 time period. During the first 12 months of the program, there were 1.3 admissions per month, and during the September 2012 to May 2013 period the average was 2.6. So far, 20 offenders have been discharged from the program, with 18 (90%) rated as successful.

The final chart was titled "Jail Population-January 2012 to April 2013". This chart depicted population numbers over that period of time categorized as: males, females, shipped males, shipped females, HDP males, HDP females, other males, and other females.

Dick also provided members with a handout depicting "Jail Essential Data – 1992 through 2012" to allow a prediction of jail bookings per year for the next 20 years. The computation of bookings from 1992 through 2012 resulted in a prediction of 2,080 total bookings in the year 2032. Analyzing the years 1992 through 2012 indicated: booking increases in 11 of the years and decreases in 9; and an average increase of 77.18 and an average decrease of 49.33. Dick noted average length (ALS) of stay and laws could change the predicted numbers.

Finn stated, as relates to courthouse building projects, bookings do not equal people, jail bed days do. Dick offered that jail bed days and ALS are factors. Nelson stated jail population is reported at 6:00 am each morning. Today's figures indicate 66 people in jail, 35 shipped to Lincoln County, 8 being booked-in, and 7 being let out. Quarterly reports give ALS numbers. He noted all five cells are full today, with people in the sobering cell as well.

Dreier asked if inmates are mapped by overlaying ALS, classification, etc. to give a better idea of projections. Dick felt both numbers are correct; the number by itself is not the entire story. Nelson stated Dick has numbers projected coming into the jail, but we are in need of a place for all offenders, even those awaiting a ride.

Finn referred to the Goldman and PONI studies, which projected the need for 220-250 jail beds. Idsvoog commented those figures were grossly overstated. Finn noted the Pre-Trial programs reduced the need for jail beds and Flugaur noted the Post-Sentence program did as well. The number of bookings must be kept track of. He stated the Justice Coalition has worked on the Home Detention Program (HDP), and utilization of the program has been a concern of that group since the early 2000's due to its fluctuation in usage. He feels this is still a problem and needs to be looked into. Nelson stated Penny Borski at the Sheriff's Office surveyed 25% of other Wisconsin counties, both large and small, as

relates to Huber and HDP, and found Portage County is in the upper percentage of use for both. He further noted Waupaca County does not have HDP. Nelson also mentioned the jail has rules and guidelines in place that relate to HDP. Flugaur acknowledged that phones have been an issue for HDP as many people now have cell phones. He felt the Department of Corrections (DOC) should talk to Portage County about how they are able to utilize HDP. Nelson replied the DOC uses the same company for HDP as Portage County.

Flugaur felt the ALS numbers jump out at him, but they are consistent. He noted that it has been practice to try and plead- in within 6 months, but that is no longer the case.

Dick suggested the Coalition and County Executive think of different types of offenders, not just jail bed days when looking at jail population, including issues with classification, elderly, mental health, etc.

2. A Discussion and Update on the Implementation of the Department of Corrections Project; n/k/a Community Residential Program (CRP) – Ross Dick

Dick noted County Finance has worked on the proposed CRP contract, which has become a 50 page Portage House contract that also includes CRP. The contract has three sets of figures: Portage House, Portage House CRP, and CRP only. DOC was sent the latest contract version and felt it was close to being done; it looked good.

3. A Discussion and Update on the Implementation of Warrants for Unpaid Forfeitures, which Began January 1, 2013; Including the Effects on Jail Population, and the number and results of Blessinger Hearings – Trish Baker

Baker stated Carlton is running the warrants program and Blessinger Hearings. There have been 509 warrants on forfeitures since January 2013, the bulk of which are from the years 2007, 2008, and summer of 2009. Those warrants totaled \$91,000 in money owed Portage County and resulted in \$27,000 collected. Baker referred to a chart she presented that indicated revenues peaked in 2006 in the Clerk of Circuit Office and have declined from that point forward. Contrary to Statewide trends, Portage County's revenues are declining except in the area of forfeitures.

Baker stated the IT Department charted forfeiture warrants coming into jail and she found their numbers to be the same as hers. There have been 69 Blessinger Hearings for those unable to pay the fine, and of the 69, there were only 5-6, a small number, who sat in jail as opposed to paying. The benefit of a change to Blessinger Hearings is that they all have the hearings, which protects the County. There are strong procedures and protocols to follow. Flugaur noted the first one through the process did not want a hearing and was told that yes, they were having a hearing. This could have saved a jail bed day; we are forcing their hand.

Baker felt with the current process in place, revenues should continue to increase. With 69 people having a Blessinger Hearing, this equals a minimum of 69 jail bed days – it could be more. This cost savings should be included in the formula, as well as expenses for court hearings, the Court Commissioner, Court reports, clerks, etc. Nelson commented that staff is here and the jail has to run anyway, no matter the number of inmates. He sees the only variables being food and medicine; food costs \$16 per day.

Flugaur asked for clarification as to whether the \$27,000 collected is the gross figure or only the County's portion. Baker replied it is the gross figure, not the County's share.

Flugaur mentioned a SPASH student had a Blessinger Hearing and he went in jail. The Court Reporter thought that was wrong. There is a hard edge to this process. Carlton also noted the \$50 warrant fee is not a part of the \$27,000.

Dreier felt this process was needed in order to be taken more seriously by people. Baker said the forfeiture represents the tail end of prosecution. Why ticket an individual, if they are not going to be prosecuted; now there is a consequence. Baker noted for all warrants issued, a reminder notice is sent from the Clerk of Courts Office after a post card has been sent by the Sheriff's Office. This is done to try and minimize jail time with all the notices.

4. Discussion and Update on the County Board Resolution to Construct a Jail and Correctional Programming Center

Idsvoog stated a resolution to that effect was passed by the County Board in August. Idsvoog's comment during the process was to put this whole matter on the front burner, or next year we will have the same discussion we have had before. We need to discuss the type of beds, not just the number of beds. A daily cost analysis should be done prior to a decision. A pod design, the 24-7 operation, remodeling, etc. versus shipping long term. Some individuals may say ship inmates, do not build a jail.

Flugaur stated the resolution connects with what the Justice Coalition has worked on over the years. He also stated he was happy to see programming mentioned in the resolution. Inmates are in Portage County programming and when shipped, there may be no programming offered. Nelson stated Lincoln County has different programming than Portage

County; it is not consistent with ours. Flugaur asked if a new shipping contract had been signed with Waupaca County and Nelson replied yes, it goes into place on January 1, 2014. Idsvoog added it is a 2-year contract.

Dreier stated the resolution had an important clause: the concept of a unified corrections building. She supports how the resolution took a holistic approach. The resolution allows homework to be done to better figure out longer term, best answers. Idsvoog pointed out the Stevens Point Journal's editorial was simply not accurate. Portage County is not scheduled to build a jail in 2015. It was made clear a cost analysis of inmate shipping versus building was to be done, as well as the impact on programming. Flugaur felt the study may indicate it is cheaper to ship, but as with the Juvenile Detention Center Study, it was cheaper to ship juveniles, but we can control the process if it stays in Portage County.

With no further business to come before the Committee, the meeting adjourned at 9:00 am.

Respectfully submitted,
Paula Cummings
Recording Secretary

MINUTES
Justice Coalition Executive Committee
November 14, 2013

Members Present: Judges Tom Flugaur and Tom Eagon; County Board Chair Phil Idsvoog; County Executive Patty Dreier; County Corporation Counsel Mike McKenna; Public Defender Anne Renc; District Attorney Louis Molepske
Member Excused: Sheriff John Charewicz and Judge John Finn
Others Present: Ross Dick and Paula Cummings, Justice Programs Department; and Cory Nelson, County Sheriff's Office

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

1. Review of the Recent Jail and Justice Program Statistics

Dick reviewed charts he provided members (copy in original meeting file), beginning with the "Pre-Trial Supervision Program Admissions, Discharged Compliant, Discharged Noncompliant" chart, which provided statistics during the period July 2011 to October 2013. The Pre-Trial Supervision Program (PTSP) averaged 7.3 admissions per month during this period or a total of 204 admissions. There were 175 discharges during this same period. Only 20 discharges or 11.4% were due to noncompliance during this period.

The "PTSP-Number Supervised Monthly and Caseload Last Day of the Month" chart provided statistics on the number of offenders in program for the period July 2011 to October 2013. On average, 59.6 offenders were supervised each month over this 27 month period. Noting that during the past 12 months, the number supervised has averaged 63.9 per month. Over the 27 month period, an average of 53.4 offenders were in programming on the last day of the month. Whereas, during the past 12 months, that number was 56.4.

Flugaur asked if staff can handle those numbers and Dick replied that appears to be the case; he has not heard otherwise.

Dick moved on to the "PTSP-OWI Repeaters as a Proportion of Monthly Admissions" for the period July 2011 to October 2013. Dick noted OWI 4th offences have been declining for the last 10-11 months. OWI 2nd offences increased in March. He also clarified the "other admits" category often includes drug related (THC) or substantial battery related to substance abuse arrests.

Dick read through the "Post Sentence Probation Supervision Program (PSPSP)-Number in Programming on Last Day of Month – July 2012 to October 2013 line graph. He noted the following: the first discharges from the program occurred in July 2012 and in the sixteen months that followed, there were 27 discharges, or an average of 1.7 per month. Of the 27 discharges, 24 were "successful" and 3 were "unsuccessful". This is an 89% success rate. Offenders discharged from PSPSP spent an average of 247 days in programs over a period greater than 8 months. With offenders also spending 4-6 months on the PTSP, OWI offenders are receiving somewhere around 12-14 months of combined PTSP and PSPSP services.

Flugaur stated the PSPSP may be on the "chopping block" due to an OWI bill pending in the Legislature. Representative Katrina Shankland discussed this legislation with Judge Finn recently. Flugaur felt there are a lot of "wild ideas" in the proposed legislation. Rather than looking at evidence based practices and how we deal with offenders, the Legislature would like to keep hammering and hammer harder on the offender because some view harder punishment as a deterrent. Flugaur also noted evidence based practice is a movement across the nation, yet the Wisconsin Legislature is going the other way.

Molepske asked about the three who were unsuccessful in the PSPSP and Dick felt it was due to a lack of motivation on the offenders' part. If the offender has not made progress after 4 months in the program, and when pressed more they are not doing better, they are out of programming. Both successful and unsuccessful discharge paperwork is reviewed by the Judge. Dick felt offenders are given plenty of rope in the determination of successful and unsuccessful.

The final chart, "Portage County Jail Population – Locally Confined and Shipped Inmates – January 2012 to October 2013" was presented by Dick. He highlighted that as of October 31st, 1,633 jail bookings took place, with an average of 56.4 males and 9.9 females. An average of 32.9 were shipped males and 4.0 shipped females. The Home Detention Program averaged 8.4 offenders per day. The most notable change is in the female shipped population, which averaged 7.4 per day in 2012 and currently averages 3.9. While the female shipped population is not substantial, it does represent a 47% decline, and a decline of 3.5 jail beds per day translates to 1,277 jail bed days per year.

Nelson noted when looking at the female jail population, you must remember females are housed in one block, whether the block is at the maximum of 13 offenders or there are only 5 – there is still only one block, no extra beds. Dick stated Nelson deals with not only the number of beds, but the type of beds available. Nelson agreed there is classification based information; it is not as simple as beds. Molepske asked the number of female beds and Nelson replied 13 females can be housed in the single dorm, without classification.

2. A Discussion of the Creation of Drug Court in Portage County

Flugaur stated he attended a recent Judicial Conference in which drug courts were discussed. Several Judges could not believe Portage County does not have a drug court because we are a leader in offender programming. At the time Portage County studied the possibility of a drug court, evidence based results were suspect in terms of success. Since that study, standards have been established as relates to drug courts, and evidence shows chances of successful drug courts are much higher. Currently, there are 40 drug courts in Wisconsin. Some counties do not conduct drug testing, urinalysis, or have a treatment component, which Portage County does have in place now.

Flugaur stated he wants to discuss a drug court possibility, noting that: 1. Portage County should look at it with standards in place with evidence based success measured (Portage County has a lot of drug related cases); and 2. Flugaur is motivated to do this. It is recommended that a single Judge conducts drug court for a two year period of time; not switch between Judges. Flugaur stated he is willing to be the first Judge to do it and he will commit for two years.

Idsvoog asked if drug courts had uniform State standards. Flugaur understands that standards were to be presented yesterday and approved by year's end. Idsvoog asked about costs related to drug courts. Flugaur replied costs are unknown, and noted that Portage County has a lot of the standards already in place and there would be no additional costs with court review hearings. Court would be conducted on a weekly or monthly basis. He assumes urinalysis and treatment would be a standard, and we have Day Report in place now. It would need to be determined whether existing programming would qualify.

Dick noted the 2014 Treatment and Diversion (TAD) grant funds could be used for drug courts. Flugaur added that TAD grant funds will not dry up. Dick asked the types of drug cases that could go through a drug court and Flugaur replied all types of drugs - from pills to heroin. Renc estimated 65% of drug cases are possession, including THC, heroin, prescription, etc.

Flugaur suggested a drug court plan be formalized and grant money then be sought. He noted that because we do not have PTSP classified as a treatment court at this time, we missed out on possible grant funding. Eagon felt we may have sufficient numbers for alcohol, treatment, drug, and Veterans courts in Portage County.

Dreier asked if there are incentives for processing successful offenders through stages of a drug court. Eagon clarified whether Dreier meant something like a gift card and she replied yes. Eagon replied that was not mentioned at all. Eagon also agreed we should study a drug court for Portage County. There have been positive changes to their operation due to having standards in place. With the success of drug courts increasing, let's explore it. He felt Dick should make contact/email to see what is out there, put a team together, and be trained.

Molepske noted Stevens Point is developing a municipal court and considering a THC threshold. When asked, Molepske suggested they look at the County's threshold. The municipal court could take money from the County. Flugaur clarified that a drug court deals with felony drug related cases. Eagon stated drug courts deal with medium to high risk offenders, not first time offenders.

3. A Discussion of the Work Group Created to Review CHIPS/TPR Cases

Flugaur noted the CHIPS/TPR Work Group meets for the first time today at 11 am. There is an issue with these cases. Social Workers come to the District Attorney's Office because they have taken a child to a foster home and court proceedings begin. There may be a CHIPS order to place the child outside of the home, which is handled by ADA Isherwood and could take up to two years to process. There could be a TPR ordered and the child cannot go back to the parents. TPR cases are handled by the Corporation Counsel through Deputy Corporation Counsel Blair Ward. Currently, there are 90 plus children outside of their home. Foster care costs are high in Portage County. The law says stability is needed in the child's life; they should not be kept outside for long periods of time. The work group was formed to look at the cost issue and whether both processes could be handled by one entity from day one of the case; either the District Attorney or Corporation Counsel Offices. The main question is who will staff these cases.

McKenna felt that was a fair summary as offered by Flugaur - that is the current process and those are the issues. McKenna added that the numbers have been there all along. Flugaur felt placement often coincides with drug use in the home. Some parents are heavy drug users; using Oxy, heroin, etc. – it all fits together. Renc agreed.

Flugaur stated he has his third TPR next month, a substitute Judge is doing another, and there are 20 others to be filed. Dreier asked how the County can budget for foster care in years to come. We need to do the right thing. We need less out of home placements. Flugaur said Health and Human Services does a wonderful job of finding relatives before foster care is involved – in about one-half the situations at least. Dick commented he has found years after a TPR is over, those children still find a way to reconnect with the parent(s). Flugaur added that is a strong bond; we know that happens.

4. Other Topics to be Considered for the Next Coalition Agenda

Flugaur noted another work group is being formed to study mental health issues in the jail. Kathy Hartman will be asked to join this work group. Dick replied scheduling work group meetings hinges on availability of the Judge involved. Flugaur added an action plan needs to be developed for dealing with the mentally ill in jail; there are a number of them and we are not a mental health facility. Nelson agreed the percentage of offenders on mental health medications or having behavioral problems is high. Some offenders do not belong in the jail, and without a jail Social Worker at this time, the number can double. Applications for the jail Social Worker position were due last week and the Human Resources Department has stated there are a number of good applicants.

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

Respectfully submitted,
Paula Cummings
Recording Secretary

MINUTES
Justice Coalition Executive Committee
December 12, 2013

Members Present: Judges Tom Flugaur and John Finn, Sheriff John Charewicz, County Executive Patty Dreier, and County Corporation Counsel Mike McKenna
Member Excused: Judge Tom Eagon
Members Absent: County Board Chair Phil Idsvoog, Public Defender Anne Renc, and District Attorney Louis Molepske
Others Present: Ross Dick and Gayle Stewart, Justice Programs Department; and Kurt Helminiak, Justiceworks

Chair Flugaur called the meeting to order at 8:00 am in Conference Room F of the Portage County Courthouse. Flugaur stated because Judge Finn has to leave the meeting at 8:30, the Volunteers in Probation Program discussion will occur first.

2. A Discussion of Creating a Workgroup to Study the Volunteers in Probation Program With Regard to Accountability, Outcomes, and Future Funding

Flugaur explained the Executive Committee looks at and discusses issues first before they determine if something should be presented to the entire Coalition. Flugaur stated Dreier spoke with him about creation of a work group to study Volunteers in Probation (VIP) and he believes this came to culmination at the end of the budget process. Flugaur asked Dreier to explain.

Dreier explained there are limited County resources, and money was diverted from staff pay increases to fund the VIP Program by choices made through the County Board and community budget input process. Dreier added it is important for everyone to make sure what is reported as numbers are agreed on, and that formulas and information being shared with people of Portage County is information that fully represents what is agreed upon. Dreier gave an example of the sharing of testimony with the County Board during the budget process that did not include the cost of the VIP Program. Dreier stated not all of the pieces of information were integrated into the County Board presentation, and added this may mislead people in making decisions. Dreier stated we need to get to a place where this is not going to be the argument of the budget season every time. Dreier added if this \$50,000 is saving jail bed days, they better be able to put a lot more emphasis on ensuring that is the ultimate truth. Dreier stated if there are ways VIP can make even greater things happen, from saving jail bed days by adjusting and doing something together to justify even greater investment, instead of spending somewhere else out of the levy, then so be it. Dreier stated they need to come together and do homework cooperatively with Justiceworks and others in the County. Dreier added this does not mean she is not trusting that good things are happening and the program is not working, but they need to be on a common page and doing all the homework and diligence they would expect to be fully accountable on the inside as well as the outside. Dreier stated a lot of statistics provided on costs are not fully agreed upon inside government as they are presented to outside government.

Flugaur asked Dreier who she envisions being in the work group, and Dreier responded Helminiak and whoever else he feels should be involved from his organization, in addition to the Justice Programs Director. Dreier added she would leave it to this Committee to suggest others that should be involved. Dreier stated the Finance Department should have a place, in addition Sheriff Charewicz or Captain Nelson. Dreier stated it would be good if they can show they can do even more for cost avoidances in the jail, but they are not there yet. Flugaur agreed. Flugaur added the Public Defender and District Attorney have to be involved.

Flugaur asked Dreier and Dick what the budget is to run Day Report, and Dreier answered it is very small. Dick stated the ATTIC Correctional Services (ATTIC) contract is about \$230,000. Flugaur asked what the total budget is for programs and Dick stated approximately \$234,000, which encompasses the Day Report, Pre-Trial Supervision, and Post-Sentence Programs. McKenna asked if they collect money that offenders are supposed to pay in fees. Dick stated in the last three years, ATTIC has retained program fees paid by offenders. Dick added many program participants are not paying fees, so there is now approximately \$11,000 in forfeited fees. McKenna asked how much ATTIC retains in fees, and Dick stated he will have to look at this at the end of the year. Finn stated the Justice Programs Department receives Department of Transportation (DOT) money for the Pre-Trial Supervision Program, which Dick verified is about \$40,000. Finn asked if that comes off the \$230,000 and Dick answered no. Dick verified for Finn the \$230,000 is the contract amount with ATTIC. Dreier stated things could be entirely different next year, if they choose to do that. Dreier added it needs to be put in the whole context to see how everything works together and to make sure the funding is being done the way they want it to be done.

Flugaur stated VIP was never a County program, in terms of funding, and noted last year was the first time money was given to the program by the County. Dreier clarified VIP received approximately \$5,000 in non-County agency funding one or two years previous. From there, VIP went to one time funding of \$50,000, and now \$50,000 is totally on the levy for 2014. Dreier asked how we sustain this going forward, because it has to do with levy limits. The County also provides \$20,000 to the Deferred Prosecution Agreement Program (DPA), which is also on the levy, and they keep adding things. When this happens, it must be done with eyes wide open about where this is going and how it all fits together. The levy comes with an extra commitment to full transparency about how the efficacy and cost effectiveness of the program interweave with what they are trying to accomplish as a community, justice system wide.

Flugaur stated they do this already with the Juvenile Detention Center (JDC). Studies of the JDC were conducted by Dick and it was found by the group that money could be saved by shipping juveniles; however, this was not done, and JDC operation remains on the levy. Dreier stated what she envisions with the work group is not to study VIP; we all know it is a program that does great things. She would like to see if it is possible to come to an agreement on the measures and reports that will regularly be provided to the Justice Coalition and the community to help make decisions as to whether they will put \$50,000 of tax levy into this program. Dreier would like to see quarterly reporting to the County Board and community. Flugaur added it is about accountability. Dreier stated they should agree on the types of reports, what they are measuring, and if there are other opportunities. Dreier stated if there is the right team of people together and if they look at risk factors and how participants are chosen, and understanding there are volunteers, they may be able to suggest working with the State Department of Corrections project out of Portage House. This program might have other pieces that would do a better job working together.

Flugaur stated certain things are contracted out, such as ATTIC. If VIP is going to be a permanent piece, they need to talk about whether it comes under the umbrella of programs and whether it should be contracted out. Even though ATTIC is contracted to run the programs, they are still County programs. Dreier stated the full cost of the program has not been presented. Dreier added work needs to be done to formalize what has been already done through the budget. Dreier believes this will take a team of people to make sure the formalized relationship is all that it can be to service all going forward in a clear way. Dreier stated this includes a cost benefit analysis and report numbers that all can agree on and stand behind 100 percent.

Finn added when forming a group to look at something like this, he thinks there should be a few outside, non-County employee citizens, in addition to a retired banker or someone who understands finance. Finn stated this goes back to credibility within the community and helps when something like this is presented before the County Board.

Flugaur stated when Kathy King was Justice Programs Director, she went person to person asking what programs people felt were "untouchable" versus "touchable", and he believes it was unanimous with the Judges that Day Report and Pre-Trial Supervision were untouchable programs. Flugaur stated it is easy to show jail-bed savings because there are a great number of offenders that get to serve half or more of their OWI sentences at home; they get days cut off because they report on a regular basis to the Day Report Program. This has been proven to work.

Dreier asked if there are other opportunities before us. Now that we have new programs with the State and are evolving new models, what is the right direction to move. Dick stated the Community and Residential Program (CRP) groups start next week. He has been spending time at Probation and Parole trying to select people who are able to commit to programming. Dick stated a lot of offenders are currently employed. Do we want to tell them not to work so they can commit to programming? Flugaur stated he believes a work group is a good idea. Flugaur added he believes Corporation Counsel should be involved in the group because they review all contracts. McKenna stated there are legal consequences to contracts and he does not believe there is a formal contract with VIP. McKenna added he believes there should be a formal contract with terms and conditions for VIP. In subsequent years, parties could look at VIP and determine who is best to run this program, could another agency run the program, if this is the right amount of money, etc.

Dick distributed "Volunteers In Probation – Program Activity" Reports. This is a starting point that shows basic measures. He explained you look at admissions and discharges at the end of the month, and this shows the COMPAS risk levels of participants, the number of people served during the month, and the number in programming on the last day of the month. Dick explained when a participant is discharged, you plug in their intake/exit dates and it computes the number of days in programming, and it also calculates the average days in programming for males and females. Dick stated with this kind of data, they can extract other measures such as the levels of risk, the average amount of time spent in programming, and what the success rates are. Dick showed that towards the end, the total hours of direct service is listed, in addition to the average hours per participant. Dick stated this gets us in the direction of what they are looking for. He does not believe it is too time consuming because you just put in basic numbers. All the measures you see will be depicted quarterly, year-to-date, and annually.

Flugaur asked if this is something volunteers at VIP will be filling out, and Dick answered yes. Dick added this gives some metrics. Helminiak added he agrees this will be helpful, but there is additional information they need to gather over time, such as recidivism rates and measuring of specific accomplishments. Flugaur stated this is another thing the work group should look at.

Flugaur stated he knows almost everyone at this meeting has served on dozens of committees similar to this and have spent hundreds of hours since the beginning of the Coalition. Flugaur stated trying to measure jail beds saved by the VIP Program will be impossible. Flugaur went on to explain you would not know when somebody has been with a mentor for a while, gone in the right direction, and never comes back versus if that person had been on probation, gotten into trouble again, and gone on a downward spiral. You cannot measure something like that. Dreier stated there could be a strategy put in place that helps figure out, when looking at the risk level of offenders, higher risk offenders are offered more services than lower risk offenders who are not likely to reoffend. Dreier stated maybe more attention can be given to another level of offender and that data can be used to show how many medium or high risk offenders have reoffended. This will help estimate jail bed savings. Helminiak stated everyone that initially comes into the system is considered low risk, and this is what they have to look at and this is part of the problem of measuring the risk. Helminiak stated they measure risk with the URICA (University Rhode Island Change Assessment) assessment tool, and in addition, look at the individual's motivation to change. This is what he looks at when bringing higher risk individuals into the program. If they are expressing a true motivation to change and score high on the URICA assessment, then those individual are brought in to programming, which has been very successful. Helminiak believes this is because they are sustaining changes already undertaken.

Discussion on CRP followed, including how they are expecting a 2-3% recidivism rate reduction. Helminiak stated they are looking at significant reductions in recidivism rates with low to medium risk offenders. He stressed the statistics came out of the State Department of Corrections (DOC), which showed a recidivism rate of 5.4%. That was four to five years ago and now they are calculating recidivism rates of 7.8%. This is higher than the rate that has been touted, but is significantly lower than 40% for similar risk offenders.

McKenna asked if offenders in VIP are in DPA, and Flugaur replied they have all been charged. Participants are identified by defense attorneys and District Attorneys, and screened to see whether they are a candidate for VIP. Helminiak added sometimes they get a call from ATTIC saying a particular individual is really motivated to clean up their act. Flugaur stated his point is there is a pre-screening; it may not be a true apples-to-apples comparison to the DOC recidivism rate. Flugaur added they are getting people that are easier to work with than offenders in DOC programs.

Flugaur stated he will put this item on the January 2014 Justice Coalition meeting. He is asking those in attendance today to think about who might be a citizen from the community that would be willing to be on or possibly even chair the work group, in addition to other citizen members. He believes having citizens involved would add to the credibility to the group.

Judge Finn left the meeting at 8:35am.

1. Update on Preliminary Findings Regarding the Creation of a Drug Court in Portage County

Dick referenced Ten Key Components from the "Defining Drug Courts: The Key Components" compiled by the U.S. Department of Justice and provided to those present. Flugaur asked if these are the standards, and Dick answered these are the ten key components for drug courts. Dick stated he would like to ask Wood County how closely they adhere to these key components.

Dick referenced the document "Drug Court Funding and Other Considerations." He stated when he researched Treatment Alternatives and Diversion (TAD) grants earlier this year, he considered that money for another purpose. He found some TAD grants required a 25% County match, which we could not come up with. When funding a new drug court, TAD does not require a 25% match. Dick considered how long we would receive this money and what the program cost could be. Dick noted this sheet reflects areas of potential cost, and if we are going to pursue a drug court and do it the way they say you should, you end up incurring pretty significant costs in some areas. Dick stated it can depend on how diligent you want to be with a drug court, but they talk about things such as direct observation of urine sample collections, court time, and immediate response to violations. Dick believes it is a good idea to look at Wood County and another county that adheres very closely to the key components to see what kind of money is needed. Dick stated he will look into this and get a comparison of the lower cost version versus the more expensive version.

McKenna stated Eau Claire County has a drug court, which only has eight people per year. He asked if we can predicate participation on either the offender pays for it or Health and Human Services (HHS) pays, if the offender is eligible for programming through them. HHS needs a seat at that table, because they can put people in the programs, if they have funding for it. McKenna stated he is unsure if those low numbers are the types of numbers we are talking about. Flugaur

felt they are low numbers. Flugaur stated it is his understanding Trempealeau County received \$20,000 for a drug court that has only three people in it. Flugaur explained the Department of Justice (DOJ) gave Trempealeau County money from a penalty against a drug company; money intended to be used for drug courts and treatment courts. Flugaur stated Portage County has an alcohol court; however, it is not officially called an alcohol court. Flugaur added our Pre-Trial and Post-Sentence Programs, are probably some of the best alcohol courts in the State, and we received nothing from DOJ when they were disbursing money.

Dreier asked if we should name or charter what we do already. Flugaur stated he brought this into the conversation because when you reference drug court funding, alcohol is a drug.

Flugaur reiterated he would like to have a work group to gather additional information and he wants to be a part of it.

Flugaur stated before any decision is made, he would ask the Coalition in January to approve a work group and he wants to be a part of it. Flugaur added he has spoken with several other Judges and it was noted at their Judicial conference that because of the standards, the effectiveness of drug courts has gone up significantly. Flugaur stated years ago, the credibility of drug courts was suspect. Flugaur noted in the past, a Judge in Wood County did not believe a drug court had credibility. Now, Flugaur is wondering if Wood County has these standards for their drug court and if this Judge has changed his mind about credibility. There are a lot of issues that need to be looked at. Flugaur does not want to have a drug court that does not meet standards of creditability and success. Dick asked if Flugaur anticipates most offenders would be abusing prescription drugs, meth, heroine, and harder drugs, and Flugaur answered yes. Flugaur added these would not be low level offenders; they will be high level offenders who have to be extremely motivated to change. The drug court process is a long time; well over a year.

Dreier asked if there is proven success with drug court models. Flugaur replied that a speaker who met with the Judges stated success of the drug court model has gone up significantly with drug courts that meet standards. Dreier asked Flugaur if a drug court was established, would he look at integrating all the other existing pieces under one umbrella. Flugaur stated that if they were in that position, they could have an effective drug court. Flugaur is wondering about funding because, at the conference, they were told TAD grants are here to stay; this issue is being looked at long-term.

McKenna asked, if drug court participants are eligible for the Pre-Trial Supervision Program that we are paying ATTIC for at this time, why we would need new money. Charewicz stated the ATTIC contract amount will increase once they have to start observing urine tests, because they do not observe anything at this time. McKenna asked why there would be an additional cost, if these individuals are eligible for Pre-Trial Supervision. Dreier stated there may be an opportunity to leverage what they already do. She further added the DOC contract allowed Portage County to take 25% of Dick's salary and charge it to DOC programs, so it freed up County money for other things. Dreier asked if the drug court could create a similar situation.

McKenna stated hypothetically, if four offenders were eligible for treatment through HHS, that would be a significantly smaller amount, and the funding should be lower. Flugaur stated the Pre-Trial Supervision Program is primarily alcohol related, but there are some drug offenders in the program. Flugaur believes we have a modified drug court going on already, but with no funding. Flugaur felt it is time we look at everything and how it all fits together. He does not know if the funding will be as significant because of programming already in place.

Dreier asked if a drug court is in place, does someone have to proclaim it, and Flugaur answered yes. Flugaur added drug courts are recognized by the Supreme Court. Flugaur stated there are only one or two recognized alcohol courts in the State, and Portage County is not one of them. Flugaur explained how some Judges do not want a system like Portage County, while some counties have adopted a system like Portage County. Flugaur added the system used by Portage County is quite sophisticated and many people are involved.

Dick stated he is convinced Portage County has so few problems in Day Report because it is located in the basement of the Law Enforcement Center, and explained the reasons for this.

3. A Discussion of Creating a Workgroup to Establish a Uniform Procedure for the Entry of Civil Judgments in Unpaid Restitution Cases

Flugaur stated after putting this item on the agenda, he realized the request from Probation and Parole and the Clerk of Courts was more of an agency issue for establishing a procedure, and not a concern for the Coalition.

4. Other Topics to be Considered for the Next Coalition Agenda

No topics were offered for consideration.

With no further business to come before the Committee, the meeting adjourned at 9:00 am.

Respectfully submitted,
Gayle Stewart
Recording Secretary