

**CRIMINAL JUSTICE COORDINATING COUNCIL  
CRIMINAL JUSTICE SYSTEM PROCESS AND OPPORTUNITIES SUBCOMMITTEE**

**July 28, 2011**

**Call to Order:** Vice Chair Kraft called the meeting to order at 12:00 p.m. in Conference Room 519 on the fifth floor of the Rock County Courthouse-West.

**Committee Members Present:** Supervisor Kraft, Judge James Daley (at 12:15), Sheriff Spoden; Art Thurmer, Perry Folts (alt. for David O'Leary), Eric Nelson, Phil Boutwell (alt. for Charmian Klyve)

**Others Present:** Judge Alan Bates; Russ Podzilni, County Board Chair; Capt. Brent DeRemer, Sheriff's Office, Emma Harrell, Rock Valley Community Programs, Angel Eggers, Rock Valley Community Programs, Crystal Reynolds, DOC, Beloit, Tom Gubbin, Probation/Parole.

**Approval of the Agenda:** Mr. Nelson moved approval of the agenda as presented, second by Sheriff Spoden. ADOPTED.

**Approval of the Minutes from 3/15/2011:** Sheriff Spoden moved approval of the minutes, second by Mr. Nelson. ADOPTED.

**Update, Discussion and Possible Recommendations Regarding TAP.** Ms. Eggers said they have 25 people in TAP at this time with room for 38. They have had 24 referrals that were ATRs. Mr. Boutwell asked if TAP could be used for OWI Court, as it may be an alternative to incarceration. Ms. Pohlman McQuillen said this would fit the model, but she expressed concern about case management consistency since TAP was only 6 months long and OWI Court was going to possibly be 18 months long. She also expressed concern as to how many OWI cases could be used for TAP with the other ATR referrals. Ms. Harrell said she thought they could extend the program to 18 months but would need to check on this. Ms. Eggers said as long as this was an alternative it need not be a formal ATR. Sheriff Spoden said it would be better if all of the TAP spots were filled and if there are open beds the OWI Court team should explore whether that option could be used for the OWI Court program or referrals in another manner. Mr. Thurmer said a person can be put on probation in lieu of jail and still be put in the program in lieu of jail. Mr. Gubbin said this may be a way to examine people in other treatment programs who are not successful. Vice Chair Kraft said they would need to talk to Judge Daley on how to proceed with this sooner rather than later. Mr. Nelson asked if there was an assessment process with Ms. Harrell replying there is. Ms. Pohlman McQuillen added that consistency is important, as based on what has been found in the drug court, program consistency should be considered heavily with regard to program implementation for OWI Court. Ms. Harrell said the clients do not need to remain in the same level program the entire time they are with them.

**Discussion and Possible Recommendations Regarding OWI Court.** A hand-out on the *Rock County OWI Court Pilot Program* (attached) was passed out. Judge Bates said the OWI Court team has been meeting every other week and has come up with the basics for a pilot program. An OWI Court cannot be run as a drug court with a different name. Judge Bates read their Mission Statement and said public safety is primary in an OWI Court. The participants must plead guilty and agree to go into the program – thus it is a post-conviction program.

Judge Daley arrived at 12:15 P.M.

Judge Bates went over the 3 OWI Tracks, the OWI Court Eligibility Criteria, Program Facts and Program Requirements.

Sheriff Spoden asked whether participants who cannot pay are pulled from the program. Judge Bates said they would try everything they can to keep them in the program. Sheriff Spoden said the bracelets cost money to use and asked who would pay them. Ms. Pohlman McQuillen said the bracelets are covered by DOC as part of how DOC is handling the new provisions under Act 100 for 2<sup>nd</sup> and 3<sup>rd</sup> offenders. Sheriff Spoden asked if the DOC monitors the bracelets and how the transition between Sheriff Office bracelets and DOC bracelets would work. Ms. Pohlman McQuillen said DOC monitors their bracelets. Mr. Gubbin said there have been a few who have changed bracelets and they always have someone there when the change occurs. Sheriff Spoden said he felt some of the smaller agencies may have a harder time if they are going to help monitor people while they are in the community. Mr. Thurmer said they have some resources that may help. Ms. Pohlman McQuillen said there was \$100,000 set aside in the 2011 budget to pay for an OWI program. She added that if whatever is hired out for an OWI program is added onto the drug court provider's contract, we may be able to control some of the administrative costs.

Judge Bates said some may choose not to participate and some may not qualify for the Program. Judge Bates said both the Prosecution and Defense sides have been very supportive of this Program. He added that training sessions, especially to the defense bar, will be needed to sell the program. Judge Daley added that IDP will need to be incorporated into the program too. He added that it has to be a pilot program because we don't know if this is the right target group.

Mr. Thurmer asked about combining TAP and OWI. If someone is put in the pilot program on Track 3 and after 12 months they have violations to move them into the TAP Program. Judge Bates said that was a good idea.

Ms. Pohlman McQuillen asked if there was a buy-in from the stakeholders to continue to move forward with this. Judge Bates said we need everyone's participation to make this happen. Judge Daley added that we also need everyone's support. Mr. Nelson said most drug court people are a danger to themselves but people with OWIs are a danger to all of us and in terms of public safety it has a bigger payback to all citizens. Mr. Nelson said they have the Public Defender Office's support.

Mr. Thurmer asked if there was a measurement for success. Judge Bates said there is something in place and it will be part of the Program. Ms. Pohlman McQuillen added that Dr. Gregory will be performing the evaluation of this court too.

**Discussion Regarding Request for Qualifications for AODA Treatment and Case Management for Offenders (Drug Court and Possible OWI Court).** Ms. Pohlman McQuillen said they need to go out for RFQs again and we need to change the wording significantly – since the program has come a long way in five years. She said she is looking for input on what needs to be changed and would appreciate everyone's comments. She added that she did not know what is going to happen with TAD yet. Ms. Pohlman McQuillen said she would like the proposal for case

management for OWI to be added on as something additional vendors can give Rock County a price quote for in addition to the drug court services.

Mr. Nelson said check-ins in Janesville and Beloit would be helpful. Everyone agreed to include this in the RFQ.

**Announcements:** None.

**Time and Date for Future Meeting.** Ms. Pohlman McQuillen said August 17<sup>th</sup> the mental health consultants would be back for strategic planning and encouraged everyone to participate.

Ms. Pohlman McQuillen said August 18<sup>th</sup> the CJCC will meet, August 23<sup>rd</sup> is the Strategic Plan session, and Vice Chair Kraft said this Committee will meet again in September.

**Adjournment.** Judge Bates moved to adjourn at 1:00 P.M., second by Sheriff Spoden.  
ADJOURNED.

Respectfully submitted,

Marilyn Bondehagen  
Confidential Administrative Assistant

**NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.**