

CRIMINAL JUSTICE COORDINATING COUNCIL
Minutes – October 16, 2014

Call to Order. Chair Nelson called the meeting of the Criminal Justice Coordinating Council to order at 3:00 P.M. at the Merrill Center, Beloit, WI.

Committee Members Present: Eric Nelson, Steve Howland, Charles Jones, Regina Dunkin, Lance Horozewski (3:25 P.M.), Charmian Klyve (3:15 P.M.), Sandra Kraft, Deputy Chief John Olsen (for Chief Moore), David O’Leary, Bill Rankin, Troy Enger, Judge Bates (for Judge Daley).

Committee Members Absent: Max Arriaga, Lorenzo Henderson, Angela Moore, Sheriff Spoden and Marv Wopat.

Staff Members Present: Elizabeth Pohlman McQuillen, Criminal Justice System Planner/Analyst; Kate Flanagan, Human Services Department.

Others Present: Supervisor Billy Bob Grahn; Neil Deupree, BHRSC; Lynda Owens; Betty Conklin and Colleen Wisch, NAMI; Jim Neitzel, Department of Corrections, Probation, Beloit; Debra Walker-Harris and Hozy Harris Jr, Ujima.

Approval of Agenda. Mr. O’Leary moved approval of the agenda, second by Mr. Jones. ADOPTED.

Approval of Minutes of September 18, 2014. Supervisor Kraft moved approval of the minutes of September 18, 2014, second by Mr. Howland. ADOPTED.

Support for TAD Grant Application Ms. Pohlman McQuillen said we are eligible for \$110,931, which is the same as last year.

Ms. Pohlman McQuillen informed the Committee that ATTIC will not be providing the case management and treatment services for Drug Court in 2015. There was an Official Request for Qualifications process this summer and the Human Services Department will be taking over this function as a result of that process.

Judge Bates moved approval to support and be the oversight committee, second by Supervisor Kraft. ADOPTED.

Ms. Pohlman McQuillen handed out the TAD Admission Demographics, which is an accumulation from inception to date.

Discussion Regarding Drug Court and Racial Disparity Issues. Ms. Pohlman McQuillen handed out an article from the Janesville Gazette, dated August 17, 2014, “Wisconsin’s drug courts grow, but racial disparities persist”. She said 81% of the admissions to the program are Caucasian and 18% are African American, this is not atypical. Chair Nelson added that at any point from the arrest decisions are made and a bias can occur.

Mr. Howland suggested reading “Race and Punishment: Racial Perceptions of Crime and Support for Punitive Policies”.

Mr. O'Leary said he thinks this is something that is being looked at, that it is data driven and they are starting to look at the data.

Chair Nelson said that transportation is an issue for some of the people. That many of the people self-select not to participate because of transportation issues. Ms. Pohlman McQuillen added that the Human Services Department uses a community-based case management model and has space for some services in Beloit, so some transportation issues for Drug Court may be alleviated through these.

Mr. Howland asked, on non-TAD cases, if the racial breakdown is similar or if there is greater disparity. Judge Bates said OWI Court had zero non-white participants. Ms. Duncan said maybe this is something to look at. Chair Nelson said he expects it would be part of the EBDM initiative to be looked at.

Mr. Horozewski asked who gets into the programs and who doesn't. Chair Nelson said part of it is getting the data and everyone keeps data differently. Ms. Pohlman McQuillen said the Drug and OWI Courts data are good but didn't know if a report can be generated to capture that information.

Supervisor Grahn asked about the numbers for mental health. Ms. Pohlman McQuillen said this particular category's data is not as good due to the way that these statistics were being captured.

Mr. O'Leary added that these programs are not mandatory so some of the people may need to be educated about these programs more to show that they are a better option.

Ms. Owens asked about what Art Thurmer put in place. Mr. O'Leary said this was the COMPAS Risk Assessment tool and they can assist in determining who is eligible based on an individual's risk level. The individuals still need to accept and be willing to go through these programs. If we think they are eligible we will send them in to be assessed, then see if they want to be part of the program. Judge Bates added that after they are assessed we ask them if they would rather sit in jail for six months or go through the treatment program for two years. Ms. Owens said a lot of these people have transportation problems.

Ms. Conklin asked if there is any consideration given to these people with mental health issues. Mr. O'Leary and Chair Nelson both replied yes. Mr. O'Leary added that all the options are looked at, discussed daily, and issues are raised with the judge. Chair Nelson said that many of the people who come into treatment courts have mental health issues.

Ms. Below asked who decides who gets kicked out of drug court and goes to prison and who doesn't go to prison. Chair Nelson and Mr. O'Leary said they go before the sentencing judge, with both attorneys present, and a decision is made by the judge.

Ms. Harris said there is racial disparity in these decisions. Judge Bates said that does not enter into it and does not believe it is happening. Mr. O'Leary said the defense attorney has the right to ask for a new judge if they feel there is a bias or prejudice. Ms. Harris said she feels racial disparity is occurring in sentencing.

Mr. O'Leary said he has tried to hire people of African American heritage to work in his office and when he has offered the position, and they find out what the pay is, they turn down the position because it is not enough money.

Mr. Rankin said evidence-based decisions are used and race should not enter into it.

Discussion Regarding Evidence Based Practice Decision Making Initiative. Ms. Pohlman McQuillen informed the Committee that Rock County is one of the counties chosen to partner with the state on its EBDM statewide application. If Wisconsin is chosen, a policy team will lead the process in Rock County.

Mr. O'Leary suggested we try to get as many different agencies as we can but not so many that it will be hard to get anything done because you can't get a quorum.

Mr. Rankin said these need to be people in a position to make things happen.

Ms. Pohlman McQuillen handed out a letter to Mr. Cosby of the National Institute of Corrections and asked comments or suggestions on changes.

Ms. Klyve moved endorsement of the letter, second by Ms. Dunkin. ADOPTED.

Presentation and Discussion Regarding Probation Holds. Mr. Horozewski asked how COMPAS has been working with relation to probation holds. Mr. Enger said obtaining statistics on holds based on risk level may be difficult to obtain, but he would try to get that information. He introduced Jim Neitzel as a field supervisor in Beloit.

Mr. Neitzel said moving to COMPAS has been a slow process. He added they have been using COMPAS a couple years, it is a work in progress, but he would not be able to give any numbers yet. Mr. Rankin agreed that it takes a number of years before numbers can be given.

Briefing on Law Enforcement Concerns. Deputy Chief Olsen said there is nothing new at this time.

Ms. Harris asked what Beloit uses for data storage for the cameras, when things are erased, etc. Deputy Chief Olsen said he does not know about Beloit, Janesville has 36 cameras, has had some issues with storage but has switched to cloud storage. He said there is a policy in place on when things can be destroyed.

Mr. O'Leary said we are catching up with technology and the cameras are very helpful. He added that each jurisdiction uses whatever is the least expensive for their use, but he has to have software compatible with all of them.

Citizen Participation and Announcements. Ms. Dunkin thanked Ms. Pohlman McQuillen for the diversion numbers. She asked if there was a way to see who is not paying their child support. Mr. O'Leary thought this was something that could be pulled from CCAP.

Ms. Dunkin asked if the expunging of records could be put on a future meeting agenda.

Discussion on the need for civil and criminal courts needing to talk and share information.

Future Meeting Date: Thursday, November 20, 2014, 3:00 P.M., Courthouse Conference Center, 2nd Floor Courthouse East

Adjournment. Mr. Jones moved adjournment at 4:34 P.M., second by Mr. Enger.
ADOPTED.

Respectfully submitted,

Marilyn Bondehagen
Confidential Administrative Assistant

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