BOARD OF SUPERVISORS

Brown County

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Judge Tammy Jo Hock

CRIMINAL JUSTICE COORDINATING BOARD
Tuesday, December 10, 2019
8:00 a.m.
Karen Dorau Memorial Conference Room
Brown County Law Enforcement Center
300 E. Walnut Street, Green Bay, Wisconsin

1. Call meeting to order.
2. Approve/modify agenda.
3. Approve/modify minutes of September 10, 2019.
4. Jail population numbers (Sheriff).
5. Discussion and possible action regarding enacting CJCB By-Laws (D. Hemery)
6. Vice Chair position (J. Brusky)
7. System Inefficiencies & Review of System Map (J. VanderLeest & D. Lasee)
8. Future Agenda Items, if any.
9. Other such matters as authorized by law.
10. Adjourn.

Honorable Tammy Jo Hock. Chair

Notice is hereby given that action by Committee may be taken on any of the items which are described or listed in this agenda. Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

PROCEEDINGS OF THE BROWN COUNTY
CRIMINAL JUSTICE COORDINATING BOARD

Pursuant to Section 19.84 Wisconsin Statutes, a regular meeting of the **Brown County Criminal Justice Coordinating Board** was held on Tuesday, September 10, 2019 at 8 am in the Karen H. Dorau Memorial Conference Room at the Brown County Law Enforcement Center, 300 East Walnut Street, Green Bay, Wisconsin.

Members Present:
Judge Tammy Hock
Michele Andresen (for DA Lasee)
Citizen Rep. Tim McNulty
Public Defender Rep. Tara Teesch
Probation and Parole Rep. Jennifer Hornacek
Sheriff Todd Delain
Human Services Committee Rep. Joan Brusky
Citizen Rep. Robert Srenaski
Citizen Rep. Christopher Zahn
County Executive Troy Streckenbach
Jail Captain Heidi Michel
District Attorney David Lasee

Others Present:
Supervisor for Criminal Justice Services, Laura Hettmann
Clerk of Courts John Vander Leest
District Court Administrator Tom Schappa
Corporation Counsel Dave Hemery
Family Services Representative Angela Stueck
Supervisor Pat Buckley

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1. Call Meeting to Order.

The meeting was called to order by Chair Judge Hock at 8:00 am.

Judge Hock introduced herself and informed she is the judge of Branch 3 as well as the Presiding Judge for Brown County. This was followed by those in attendance introducing themselves.

2. Approve/modify Agenda.

Citizen Representative Robert Srenaski indicated he is on the agenda at Item 6, but he has no understanding as to why. Judge Hock said this was something that was addressed at the last meeting. Srenaski said he would like the item struck from the agenda because it was addressed at the last meeting.

Supervisor Brusky questioned if elections should be discussed since Judge Atkinson is no longer with this subcommittee, however Corporation Counsel David Hemery advised elections cannot be added to the agenda without giving 24 hours' notice, but could possibly be discussed under Item 5.

Motion made by Todd Delain, seconded by Joan Brusky to approve as modified. Vote taken. MOTION CARRIED UNANIMOUSLY

3. Approve/modify Minutes of July 9, 2019.

Motion made by Joan Brusky, seconded by Sheriff Delain to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

4. Jail population numbers (Sheriff).

Sheriff Delain informed the jail population has slightly increased since the last meeting. As of yesterday the jail was at 96% capacity and the work release center was at 90%. In addition there were 63 inmates shipped out and 61 out on EMP. They would like to increase the number of EMPs, but it has been very difficult to find inmates that are qualified to be put on the program. They are doing a review on some inmates that have not been put on the EMP in the past and Delain shared several examples. The jail team looks at the specifics of each case and Delain also looks at how the

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inmate has been in the jail and whether they have had any rule violations and then further decisions are made on allowing them to be on the EMP program. Jail Captain Heidi Michel added that they also contact Probation and question the agent whether or not they feel the inmate would be a good fit for EMP and if they are following their probation rules. Delain said it is a challenge finding inmates suitable for the program and they are really digging deep into the barrel to pull EMPs out. He continued that it is just a matter of time before these individuals are going to be out in the community without the supervision of the jail anyway so they are making it more of a transition from complete lockup and seeing how they behave there and then transitioning them to work release and then out on EMP. These inmates are reviewed very closely and so far it has been successful. Those going out on EMP are reviewed thoroughly to be sure they are a good fit and have been compliant with the jail rules. The goal is to transition people back to the community as quickly as possible, but do it in a safe manner.

A question was asked as to what percentage the jail would like to reach for the EMP program. Delain responded that they can manage 100 on EMP and they have done that in the past. Right now he could put 40 more out on the program, but there are not that many eligible inmates. It was noted they have two to three walk aways from work release every week. They are lower risk offenders and they generally get picked up on new charges within a few weeks and then they can have escape charges or bail jumping charges added based on the recommendation of the DA's office.

5. Status of County Board action concerning subcommittee. (D. Hemery).

Corporation Counsel Dave Hemery informed that in October 2018 Supervisor Brusky asked that the resolution creating this Criminal Justice Coordinating Board be amended to add a treatment court judge. Hemery looked into what that process would entail and noted that this subcommittee is not a statutory committee. The State Criminal Justice Coordinating Council is statutory, but the local boards or councils are typically created by local resolution. Hemery has reviewed prior resolutions and found that the Criminal Justice Coordinating Board in Brown County was created in 1992 by resolution that included the purpose and membership. In 1996 the CJCB was amended by resolution that added terms of memberships, designees and appointing procedures for citizen members and it also changed some of the membership. One significant thing in that resolution is that the first 11 positions are permanent members and that resolution also had citizen reps who were not permanent but were appointed by the County Executive and confirmed by the County Board and there was also a Sheriff's Department Accountant that was not permanent. This is significant because the first 11 members at that time included the Chief Deputy Judge of the Circuit Court. Whoever was in that position was a member; it is not that a specific individual holds the membership, the position holds the membership. For instance, if the Sheriff were to change, the new Sheriff would automatically step in to fill the spot of the former Sheriff.

Hemery continued that the CJCB was again amended by resolution several years later and some membership was changed. Finally, in 2018 the resolution was again amended and that is where we currently are. The 2018 amended resolution amended positions and membership. The issue in October 2018 is can a treatment court judge be added to the membership. The request to add a treatment court judge was discussed and it was determined that a treatment court judge should not be added, however, this Board determined that position titles should be changed in order to reflect current titles and designee status should also be added. A resolution was then presented to this Board for consideration changing a number of titles and adding designees to several positions and this resolution was approved and then forwarded on to the County Board Committees. One Committee decided to change the resolution to have citizen representatives be human services advocates rather than having them appointed by the County Executive and confirmed by the County Board. The resolution was then sent back to this Board for reconsideration regarding adding the human services advocate provision and this Board decided to go along with having four citizen representatives appointed by the Executive and confirmed by the County Board. On September 4 that resolution was forwarded to the County Board office for inclusion on the Public Safety Agenda and the Human Services Committee agenda, however the item was not included on the Public Safety Committee agenda because the Public safety Chair realized there would be a new chair on this Board and wanted to make sure the proposed resolution was consistent with what the new chair wanted. The resolution now will have to be taken up at the Public Safety Committee and then on to the full County Board.

Hemery continued that he received an e-mail from Supervisor Brusky yesterday and one of her concerns was who the Chair of the CJCB would be and she recalled that the members voted to have Judge Atkinson as the Chair and she asked if the Chair should be elected. Hemery said because this is not a statutory committee, there are not rules or directives there. In this case everything was created by resolution and therefore it is the position that holds the seat as opposed to an individual and what this Board did was elect the Presiding Judge as the Chair. It is Hemery's position regarding the Chair of this Board that the presiding Judge was elected as the Chair and the individual that held that title resigned and therefore the new Presiding Judge would step in to the shoes of the old one as Chair of this subcommittee.

There is also the issue of creating the criminal justice efficiency work group. In order to create that, we first need to have members of the CJCB established so discussions and voting can be done regarding whether or not to create the efficiency work group, who should be on it, what the term of membership should be, what the mission statement is, etc. At next month's Public Safety meeting the resolution amending the makeup of this Board will be heard and will then move on to the County Board for approval. Assuming it is passed by the full Board, there will then be an official understanding of who is on this Board and what their positions are and at that point this Board could take up the issue of the criminal justice efficiency work group.

Brusky informed she would also like to discuss the frequency of these meetings. Hemery responded that he is prepared to address some of the items contained in Supervisor Brusky's e-mail with the Chair's approval as they are not specifically on the agenda. These items include questions regarding the Chair of this Board which was discussed above, frequency of meetings and Vice Chair of this Board. Judge Hock informed she did not have a problem addressing the frequency of meetings, but based on her review of prior minutes, it looks like the Vice Chair issue has already been decided and does not need to be discussed further or, if it was to be discussed further, it should be done as a future agenda item.

Hemery said Brusky's e-mail notes that in July 2018 this Board decided that a Vice Chair was not necessary. If this issue is to be taken up again, it should be included on a future agenda. Frequency of meetings is the duty of the Chair. Hemery noted that when he was looking into creation of this Board he was looking for two main things; one being resolutions creating or amending the Board and the second was by-laws. In May of this year Hemery asked the Board whether by-law exist and nobody on the Board was aware of any. Those are the two documents that typically set out the rules for Boards. In this case, with no by-laws, the default would be Roberts Rules which sets out that it would be up to the Chair to determine the frequency of meetings.

Chair Hock informed she looked back historically and found meetings were typically held every two or three months and she feels quarterly meetings would be appropriate. It appears meetings are typically held on the second Tuesday of the month and are scheduled at 8:00 am and she is agreeable to continue with that schedule in the months of March, June, September and December. Accordingly the next meeting will be held on December 10 at 8:00 am.

Brusky said historically this Board was meeting every two months and she has perused what other counties are doing as well and it seems they are having meetings every two months. She noted that on our current schedule it is difficult to get things done and added that we started the process of amended the membership of this Board in January and we aware not done and it is September. Judge Hock said it is not just a function of this Board, it also needs to go to other Committees and based on her review of the minutes that these are issues that would need to be addressed six times a year. Giving consideration to everyone's scheduled, Judge Hock feels meeting four times a years would be sufficient and she reiterated that the next meeting will be held on December 10.

6. **Federal Inmates (R. Srenaski).** *This item was struck from the agenda it Item 2 above.*

7. **Future Agenda Items, if any.**

DA Lasee would like to advocate that this Board be a little more active, but he does not necessarily feel we need to meet more frequently to make that happen. The membership of this Board is such that there are great opportunities

to make differences within the system. There are definitely inefficiencies within the system and Lasee feels when the Board was more active some valuable things were accomplished. He referenced the system map that was done several years ago and feels perhaps we could take another look at that and dig into it. This Board has the ability to do some things that could be beneficial to the system as a whole in terms of identifying inefficiencies and making improvements. Lasee does not know if that means we need to meet more frequently or just put things on the agenda to tackle. Judge Hock agreed with DA Lasee in that it is a matter of addressing the issues at the meetings and if there are items people want on the agenda they can let her know.

Delain commented that since he has been on this Board, there has not been much on the agenda to move forward and much like most people in this room, he does not have a lot of time to just go to meetings that are not productive. To Judge Hock's point, he would clearly support a quarterly meeting for an agenda with some substance to it.

Clerk of Courts John Vander Leest referenced Lasee's comment about system inefficiencies and feels this would be a good item to include on the next agenda. Lasee added that at the next meeting we should have a review of the system map that was created several years ago and noted a few small changes were made as a result of the mapping, but not much further was done. Lasee suggested that the map be provided to Board members prior to the next meeting for review. He also recalled that former Sheriff Gossage brought in someone from the National Institute of Corrections to do a jail study and perhaps that could be distributed to the Board before the next meeting for review and then further discussion. It was pointed out that that study is available on the Sheriff's web page. There are a lot of overlapping suggestions in those documents and Lasee feels having them on the next agenda would be appropriate.

Srenaski recalled the NIC report referred to by Lasee contained an elaborate set of recommendations for this body to move forward on and he agrees that it would be worthwhile to have those recommendations in front of the Board at the next meeting so we can have an open discussion of what role this Board could play in implementing some of those suggestions.

Brusky would also like to have an agenda item on the next agenda to revisit the Vice Chair position of this Board.

8. **Other such matters as authorized by law.** None.

9. **Adjourn.**

Motion made by Todd Delain, seconded by Tim Mc Nulty to adjourn at 8:33 am. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

Alicia Loehlein	Therese Giannunzio
Recording Secretary	Transcriptionist

PROPOSED BY-LAWS
BROWN COUNTY CRIMINAL JUSTICE COORDINATING BOARD

ARTICLE I: Name

The name of this Board shall be the Brown County Criminal Justice Coordinating Board (CJCB).

ARTICLE II: Creation

The CJCB was formally created by Resolution of the Brown County Board of Supervisors.

ARTICLE III: Mission

The principal mission of the CJCB is to improve the administration of justice and promote public safety through planning, research, education, and system-wide coordination of criminal justice initiatives.

ARTICLE IV: Structure

Section A: Membership

There are seventeen voting members of the CJCB:

1. Chairperson of Public Safety Committee or Designee;
2. Chairperson of Human Services Committee or Designee;
3. Brown County Circuit Court Presiding Judge or Designee;
4. Brown County District Attorney or Designee;
5. State Public Defender Regional Office Manager or Designee;
6. Brown County Sheriff or Designee;
7. Brown County Executive or Designee;
8. Brown County Jail Captain or Designee;
9. Green Bay Police Chief or Designee;
10. State Probation and Parole Division of Community Corrections Region Chief or Designee;
11. Citizen Representative No. 1;
12. Citizen Representative No. 2;
13. Citizen Representative No. 3;
14. Citizen Representative No. 4;
15. Brown County Health and Human Services Department Executive Director or Designee;
16. Brown County Clerk of Court or Designee; and
17. Criminal Justice Manager or Designee.

Citizen Representatives shall be appointed by the Brown County Executive and confirmed by the Brown County Board. Citizen Representatives shall serve two-year, staggered terms (two of the four Citizen Representative terms shall expire on 12-31 of even-numbered years, and the other two terms shall expire on 12-31 of odd-numbered years).

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Section B: Officers

At its first meeting in odd numbered years, the CJCB shall elect a Chair, a Vice-Chair and a Secretary to serve two-year terms. The Chair shall preside at all meetings. The Vice-Chair shall act as the Chair in the absence of the Chair. The Secretary shall prepare the Agenda as directed by the Chair, and shall distribute the Agenda in a timely manner to all members of the CJCB, and to the County Board Office. The Secretary shall take, prepare and distribute the Minutes in a timely manner to all members of the CJCB, and to the County Board Office.

Section C: Subcommittees and Ad Hoc Committees

The CJCB may authorize the formation of Subcommittees and/or Ad Hoc Committees which shall report to the CJCB.

Section D: Meetings

Meetings of the CJCB shall be set by the Chair, and shall take place at least quarterly.

Article V: *Robert's Rules of Order*

Unless contradicted by these By-Laws, Wisconsin Statutes and/or by the Brown County Code of Ordinances, the most recent edition of *Robert's Rules of Order* shall control the procedures and workings of the CJCB.