

**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 September 17, 2014 in the Truttman Room of the Brown County District Attorney's Office, 300 East Walnut Street, Green Bay, Wisconsin.

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**Present:** Judge Walsh, Michelle Conard, Lori Richgels, Larry Malcomson, Dave Lasee, John Gossage, Shannon Viel, Supervisor Evans, Beth Robinson, Tom Molitor, Jeremy Kral, Judge Zuidmulder  
**Citizen Reps:** Tim Mc Nulty

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**1. Call Meeting to Order.**

The meeting was called to order by Chair Judge Walsh at 8:00 a.m.

**2. Approve/Modify Agenda.**

**Motion made by Tim Mc Nulty, seconded by Dave Lasee to approve. Vote taken. MOTION CARRIED UNANIMOUSLY**

**3. Approve/modify minutes of July 16, 2014.**

**Motion made by Michelle Conard, seconded by John Gossage to approve. Vote taken. MOTION CARRIED UNANIMOUSLY**

**4. TAD Grant (David Lasee).**

DA David Lasee indicated that he appreciated CJCB members showing up at these meetings to keep apprised of what is going on with the TAD grant as this is something that was thrown in his lap pretty quickly and a number of decisions need to be made and he appreciated the input. He noted that he recently attended an orientation with Beth Robinson and Kim Pansier for the TAD grant. This meeting was a kickoff for new recipients which ran through expectations, record and data keeping procedures and things of that nature.

Lasee stated he still feels there is a little bit of a lack of guidance from the DOJ but felt that the CJCB could help with this in moving forward. He felt that they have reasonable plans as to how this should be sketched out and he has exchanged a number of e-mails with regard to getting things structured. He knows that HR is working on getting the TAD grant coordinator position filled and noted that this position will be paid through the Human Services budget. Human Services Director Jeremy Kral will make the decisions as to filling the position. Lasee continued that the structure will be to have the TAD grant coordinator and then two case managers working under the coordinator. The coordinator role will be more of an oversight role of the entire program but will also facilitate people coming into the program. Assessments will be held to determine if an individual is appropriate for the treatment courts, appropriate for diversion programs or appropriate in the general criminal justice system and what is appropriate for TAD-related programming. Lasee noted that the treatment courts will be expanded soon to include a mental health court and a heroin court. Lasee continued that he will also be discussing this with the Public Defenders' Office to see how they would suggest structuring things.

The one thing that needs to be decided soon is how assessments will be conducted. There are several tools available. There is a tool that he has heard about called the RANT tool which breaks a person down into one of four different quadrants (high risk/high needs; high risk/low needs; low risk/high needs and low risk/low needs). Based on what quadrant an offender falls into they will then determine if the person is appropriate for treatment courts, diversion programs or the general criminal justice system. There would be some minor costs with using this RANT tool, but Lasee noted that one very positive thing about the RANT programming is that the County has been approved for full funds for this calendar year, but the money included in the grant for the TAD coordinator will not be used up since the coordinator will not be hired until late in the calendar year. Lasee also learned at orientation to spend some of the money and modify their budget accordingly. He thought there would be an opportunity to use the money for some

one-time costs that would result in long-term efficiencies such as in-house drug testing and system mapping.

Kral indicated that currently Beth Robinson is working in the interim coordinator role and she has his full blessing and support. Kral continued that interviews will be held in the next several weeks for the coordinator position and a hiring decision should be made shortly after the interviews are held. The successful candidate will then move into the role in a month or less. A discussion ensued as to the location of the coordinator's office and several options were discussed, including space in the courthouse or possibly in Human Services.

Judge Walsh asked Lasee if he would need guidance from the CJCB as to how to spend the money up front that Lasee talked about earlier. Lasee indicated that unused funds will not be carried over so any appropriate expenses should be paid as soon as possible.

Green Bay Police Chief Tom Molitor asked how long the system mapping would take. Lasee responded that he has never been through the process but he estimated it would take several days to complete. Lasee explained the process and indicated that the funds are there to pay for the system mapping and he would like to get it done as soon as possible. Molitor felt that system mapping would be a good place to start and Lasee agreed and indicated he felt it would be a good use of funds. He estimated the cost for system mapping to be about \$7,500.

A question was also raised as to if there was any equipment that could be purchased at this time that might assist law enforcement. Lasee responded that if the County intends to explore doing additional testing in-house, funds could be used for testing equipment. He noted that with this program he anticipated an increased number of people needing drug and alcohol testing. Kral indicated that he also felt that testing equipment and supplies would probably be a good use of the funds available. Kral asked if only items in the grant application would be appropriate for spending or if modifications could be made. Lasee indicated that it was his feeling that budget alterations would be approved as long as it is for something to be used toward the program which includes the treatment courts.

Judge Zuidmulder indicated that it was his understanding that the judges would like to sit down with Lasee when they get further along and know what the screening and referral process will be. Lasee stated that the options for offenders would be treatment courts, diversion programs or the traditional criminal justice system. Lasee stated that he would absolutely involve the judges before decisions are made as to who will place offenders and where they are placed in the program. The available models would be to have a team that does the assessment and then assigns offenders to the court or, the offenders are referred to the court and the court decides where to place them. Lasee does not have a strong opinion on which way he would like to see this go at this time and he see benefits to both models. Judge Zuidmulder felt that live conversations in this regard should happen as there are different personalities and idiosyncrasies involved and based on that the judges might have different opinions.

Supervisor Evans asked if a person could request being placed in a treatment court. Lasee responded that typically treatment court participants are referred. Many times the defense attorney will advise their clients of the option of a treatment court and then the client can apply and a decision is made as to whether to accept the client or not. Evans stated that his concern would be that all offenders are advised of the program and know that the treatment court option exists. He does not want to see anything racial when it comes to acceptance into the treatment courts and wants to be sure that everyone is aware of the option. Evans asked if there is a plan or process or structure in place to ensure that all offenders are notified of the treatment court option. Judge Zuidmulder responded that the treatment courts are funded by the County and his pledge to Brown County is that this is available to all of Brown County. He assured that no system that is created will be less inclusive than that. He noted that if he received any calls by citizens indicating that they would like to be placed in the system, he would look at the case and make a decision. Judge Walsh agreed with Judge Zuidmulder that the treatment courts are open to anybody and if there is a racial component being injected into this, it would be addressed. Evans felt that it may be helpful to have defendants sign some sort of document indicating that they have been advised of the option of treatment court if they meet the qualifications. Judge Zuidmulder agreed that an acknowledgement signed by defendants and defense counsel may be a good idea. Kral felt that Evans's

point was well-made and demonstrates another reason to be sure that the screening tool that is selected is one that all involved are comfortable with and not based on any specific demographic.

Sheriff Gossage suggested a classification process when someone is admitted to the Jail to help determine where the offender fits best in the facility and he thought that this could also be the time that offenders be made aware of their options with treatment courts if they meet the criteria so the inmate has the information to at least apply for the program through their attorneys. Further discussion was had on this matter and Lasee noted that it will be looked at thoroughly.

Judge Walsh asked Lasee if he could come up with some of the bigger ticket items that money could be used for this year. He noted that the TAD coordinator for the rest of the year will take up some of the funds, but there will be additional funds that would need to be used prior to the end of the year. Lasee anticipated there to be approximately \$100,000 left after the coordinator is paid through the end of the year and he reiterated that a good expenditure of these funds would be testing equipment and system mapping. Judge Walsh urged anyone else who had ideas of how to use the available funds to get in contact with himself and Lasee by October 8, 2014.

Tim Mc Nulty asked if any direction could be given by any other TAD grant recipients as to what they have done and purchased. Judge Walsh felt that was a good idea and was of the impression that there may be room to expand funding beyond what was included in the application. Lasee agreed with this but noted that he did not think the actual program could be altered; however, the amount requested and needed for resources has room to be altered.

Evans cautioned about a walking quorum if e-mails are exchanged and decisions are made outside of a noticed meeting. Judge Walsh understood and indicated that at this time all he is looking for are ideas.

**Motion made by Supervisor Evans, seconded by Michelle Conard to proceed as directed by the Criminal Justice Coordinating Board. Vote taken. MOTION CARRIED UNANIMOUSLY**

**5. Treatment Courts Including Heroin Court (Judge Zuidmulder).**

Judge Zuidmulder updated the Board on treatment courts and indicated that they have hired a case worker that will be working with the mental health court and he is hopeful to get that up and running shortly. He noted that they are currently working on the client manual and he was hopeful that the mental health court could be in place by October 1, 2014.

Judge Zuidmulder explained that the heroin court is more difficult because part of what is happening is he is trying to follow the model that Marinette County is using and they have just taken in their first participant. In Marinette County they take a participant in and take a plea, but do not sentence them and then release them on bail into a treatment program. Upon successful completion of the treatment program, the participant comes back for sentencing when circumstances have stabilized. Brown County's treatment court is modeled a little differently in that they go to sentencing and drug court is a condition of probation. The problem with the heroin people is that their addiction is at a level that is much higher risk and when they are released from Jail after sentencing they often bolt. Judge Zuidmulder is holding back a little bit on the heroin court to see how Marinette County does.

Judge Zuidmulder continued that another consideration is upfront money for people to be placed in treatment. Molitor asked if Medicaid would apply to participants for the cost of treatment and Judge Zuidmulder answered that that would vary from client to client. The other issue is that most of the providers say that nobody is coming forward saying that there is evidence-based data that a certain treatment program is successful. Because of the heroin population and the newness of it, there is not anything out there yet that is a proven treatment format.

Kral added that he is aware of a recent estimate that post-Obamacare about 18% of Americans are uninsured medically. He also noted that even when people are on Medicaid, Medicaid does not cover the real costs. Beth Robinson added that residential treatment is not typically covered and the typical cost of a program is \$5,000. Robinson also confirmed what Judge Zuidmulder talked about earlier of heroin users bolting following their release from Jail.

Judge Zuidmulder continued that the goal of the heroin court would be treatment and the model used by Marinette County automatically includes treatment. The additional incentive is that these people know they are on bail and therefore would be more likely to stick around instead of facing bail jumping charges. Judge Zuidmulder noted that he does not count the heroin users as being in the drug court and he does not feel like he should be held accountable for showing terminations from drug court for people who never actually got into the program but instead bolted upon their release from Jail.

6. **Jail Usage – task list from prior meetings.**

Judge Walsh stated that this item is in the context of addressing the TAD grant and asked if anyone had anything to discuss regarding the task list. Lasee talked about a case at the Jail where someone was being held on a small bond for an operating after revocation offense. Some medical issues with this individual arose which cost the County thousands of dollars to house a guy who was basically just a nuisance for failing to appear for Court. Lasee felt that this type of case should be examined in an attempt to eliminate significant expenses being incurred for people in Jail on small bonds. Lasee will attempt to get a list of people sitting in the Jail on small bonds and he felt that this would be an appropriate conversation to have with the judges. Judge Walsh stated that he would welcome Lasee to come to the next judge's meeting to talk about this issue. He felt that a standard policy across all of the branches would be necessary.

7. **Adjourn.**

A discussion was held as to the next meeting date and November 19, 2014 at 8:00 a.m. was selected. The location of the meeting will be the Truttman Room of the District Attorney's Office.

**Motion made by Supervisor Evans, seconded by Tom Molitor to adjourn at 8:52 am. Vote taken.  
MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,

Therese Giannunzio  
Recording Secretary