

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 December 8, 2016 at 8:00 am in the Truttman Room of the Brown County District Attorney's Office, 300 East Walnut Street, Green Bay, Wisconsin.

Present: Chair Judge Walsh, Citizen Representative Tim Mc Nulty, Public Information Officer Brian Lueth, Human Services Director Erik Pritzl, Supervisor Pat Evans, Supervisor Joan Brusky, Jail Captain Larry Malcomson, Public Defender Representative Tera Teesch, Clerk of Courts John Vander Leest, County Executive Troy Streckenbach, District Attorney David Lasee, TAD Grant Coordinator Mark Vanden Hoogen, Probation and Parole Representative Michelle Timm

Excused: Judge Zuidmulder, Green Bay Chief of Police Andrew Smith, Sheriff John Gossage, Citizen Representative Kathy Johnson

1. Call Meeting to Order.

The meeting was called to order by Chair Judge Walsh at 8:03 am.

2. Approve/Modify Agenda.

Motion made by Tim Mc Nulty, seconded by Larry Malcomson to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

3. Approve/modify Minutes of October 13, 2016.

Supervisor Evans informed that he should have been listed as "excused" in the October 13, 2016 minutes.

Motion made by Tera Teesch, seconded by Joan Brusky to approve as amended. Vote taken. MOTION CARRIED UNANIMOUSLY

4. Mental Health Grant/Detox Beds (Erik Pritzl).

Human Services Director Erik Pritzl informed that 11 people have been served through the process of incapacitation holds. This is lower than what was expected and there have been discussions with the provider and law enforcement to better understand this process and figure out where the gap is and what is occurring. What has been discovered is that in some situations it is taking a while to get medical clearance because when someone comes in, they are incapacitated and it is difficult to get information so they spend time in the ER being assessed before going to Bellin, and in some instances they are no longer incapacitated when they are cleared and then they do not want to go. Pritzl said they are also trying to get a better handle on the numbers because there may be more than 11 who have gone through the process, but Bellin has billed other third party funding sources.

Pritzl continued that they have not seen the surge in incapacitation that was anticipated so they are now trying to branch out more to the voluntary population. The workgroup on this has reconvened to look at voluntary situations. Pritzl said they are also seeing people come to the CBRF and then go on to residential treatment. This process and program continues to be developed and refined and he will keep this group advised of developments.

Evans asked for clarification on how the process works and Pritzl explained that typically there is contact with law enforcement and then the person is brought to the ER, medically cleared and then brought to Bellin Psych. Once they are done with the detox part at Bellin, they make choices as to what they want to do after that. Evans asked how these people are transported and Pritzl said that typically law enforcement transports them from the hospital to

Bellin and then once they leave Bellin, there are different options for transportation. The GBPD is the primary source of connections. Evans wanted to be sure that the appropriate outreach was being done with all area law enforcement so they are aware of the system and how it works. Pritzl responded that the two primary law enforcement agencies they connect with are the GBPD and Brown County Sheriff's Office and they have been included in the work group meetings and conversations.

Motion made by Pat Evans, seconded by Erik Pritzl to place this item on next month's agenda. Vote taken.
MOTION CARRIED UNANIMOUSLY

5. Public Service Announcements.

Clerk of Courts John Vander Leest said he sees a number of young people with OWIs who do not understand the costs and consequences. He said the County has the ability to create public service announcements and he has discussed this with DA Lasee and Judge Atkinson. Public Information Officer Brian Lueth shared examples of several public service announcements that currently exist. He said that NEWEye is a community based television station and is built off of volunteers and a partnership with NWTC's digital media arts program. They are able to produce quality content and he showed some examples of what other communities are doing.

Lueth said that filming could be done in a single day and then editing would take a few months. In order to start the process, there is a form online at BCNewEye.org/filmrequest which would need to be completed. Forms are reviewed weekly and from there filming is scheduled. PSA's would air on the NEWEye television stations in Allouez, Ashwaubenon, Howard and the Town of Lawrence as well as live streaming channels. There would also be options to have PSAs on social media. The content would belong to this committee and the County and the County could then distribute it however they wish. Vander Leest felt that a small committee could be formed including representation from the DA's office and law enforcement to work on a PSA. Evans also volunteered to work on this.

Motion made by Pat Evans, seconded by John Vander Leest to create a subcommittee to look into PSAs. Vote taken. **MOTION CARRIED UNANIMOUSLY**

6. Jail Population Numbers (Larry Malcomson).

- a. Detail on population by offense.
- b. Drill down numbers.

Jail Captain Larry Malcomson informed that they have updated the inmate management system software which allows them to retrieve the data with respect to charges by inmate specific to the inmate. The software is not able to provide information on probation and the charges combined, but Malcomson is hoping to have two separate reports sometime next week so they can identify inmates by charge and then report the probation piece separately. He said it is too convoluted for the system to differentiate between those two.

Malcomson continued that the jail is currently at 90% capacity and there are 4 juveniles in custody which is a significant drop. Judge Walsh asked if the reporting can include how long people will be in the jail and Malcomson said that that information will be included. Judge Walsh would like to use the raw data to try to address that specific population and address concerns of perhaps having too many OARs in jail or to look at reducing the time between the decision to revoke and actually revoking or revocation and the time they get sentenced.

Motion made by Pat Evans, seconded by Troy Streckenbach to hold for one month. Vote taken. **MOTION CARRIED UNANIMOUSLY**

7. TAD Grant Programs: New hire for Treatment Court (David Lasee).

District Attorney David Lasee introduced Mark Vanden Hoogen as the new TAD Coordinator. Vanden Hoogen is in charge of the treatment court teams and Lasee is excited to have him on board.

Lasee asked Vanden Hoogen to talk about the case manager position in the next budget which will lead to expansion of the treatment court program and help with the heavy waiting lists in the drug and heroin courts. Vanden Hoogen informed that they are waiting for the initial go ahead to move forward and the position will be posted as soon as HR receives the A1. He would like the position to be filled as soon as possible. Interviews will start as soon as the position is posted and applications are received, but because this is a 2017 position, the position cannot start until after the first of the year.

Lasee informed that there are waiting lists for the drug and heroin courts, which he feels is a good thing because they are finding appropriate applicants and the programs are being filled and continue to be very useful. There are currently about 20 participants in both the drug and heroin treatment courts. Evans welcomed Vanden Hoogen to his new position and asked about the formation of an OWI court and asked if the TAD grant could be used for something like that. Lasee responded that the TAD grant is specific in terms of what is requested and when the TAD grant was written the first time, entertaining an OWI court was part of the thought process, but after the first round of grant applications, Lasee was told what programs the State likes the best and what ones they wanted to fund. Lasee does not believe there is a possibility of funding an OWI court with the current grant funds, but this is something that could be looked at in the future. He said there is a lot going on with OWI and different programs that other counties are using and he feels Brown County needs to give some thought to a wide spread approach on this. He noted the structure used on drug and heroin court is targeted towards the highest risk, highest need people and a determination would have to be made who to target for an OWI court and what programming would apply towards others who would not qualify for the OWI court. There are several options to look at and Lasee said we have to be realistic and mindful that there are already staffing issues with the courts and DA's office. Judge Walsh said OWI is the biggest case type he sees in traffic court. Evans recalled Judge Zuidmulder seemed to want tight parameters as to who would qualify for an OWI court and Judge Walsh added that an OWI court would need broad buy-in because letting people with OWI's out will not be popular.

**Motion made by Pat Evans, seconded by Joan Brusky to include this item on next month's agenda. Vote taken.
MOTION CARRIED UNANIMOUSLY**

8. Day Report Center (David Lasee).

Lasee reported the day report center is up and running and he feels this is going to be a good tool. There are still a few bugs to work out as to how this will work procedurally but he has had conversations with Family Services on this. The day report center is designed for pretrial and treatment courts. They want to serve those people on bond to help alleviate the jail population issue and Lasee noted that at any given time the jail has at least 100 people in custody on \$5000 or less cash bonds. They want to target this population as they really don't present a safety risk. In addition, the day report center will be used as support for the treatment courts for case management, programming and UAs. It is Lasee's understanding that people will be assigned to the day report center through the courts and referrals from the DA's office. The day report center will not go to the jail to assess an inmate on a defense attorney's request, but if the defense attorney contacts the DA's office, the DA's office can contact the day report center to discuss the case.

Lasee continued that when someone comes in with a new charge, the DA's office targets the population they would otherwise be requesting a small cash bond from to help alleviate the jail population and that population that is a little more challenging have some services on the front end. If it is someone they are going to give a signature bond to,

they will not give day report unless the Judge or Court Commissioner wants it. The procedure would be for the Clerk's office to fax the minutes sheet to the day report center who will then contact the DA's office who will fill out the formal referral and provide the day report center with a copy of the criminal complaint. The person would then go to the day report center for an assessment.

In terms of reporting violations, Lasee said this is something that needs to be ironed out with the Judges and Court Commissioners. He feels the expectation is that when there are violations, it is not going to result in immediate bail jumping charges. They would like to handle minor violations within the context of the existing bail. He noted that punishments will happen and they will be swift. If there is a serious violation, a bail jumping charge will be issued and they will treat it like a new crime. Violations will be faxed to the Judges and DA's office via fax.

Judge Walsh asked about sending people to the day report center while they are on the wait list to get into a treatment court. Lasee said day report would be able to offer active case management on a more frequent basis than an agent would be asked to do. Judge Walsh said this would be short-term because when the new case manager is hired the wait list will hopefully drop to zero. At this time people that have been approved for the treatment courts are sitting in the jail while they wait for a slot. Pritzl said discussions should be had with the day report center about how the treatment court participants fit. On paper they may look like higher risk offenders but if the treatment court is accepting them, a determination has already been made that these people can handle a different level of supervision. Lasee said day report seemed okay with this, but may have some concern about the number of those types of individuals.

Vanden Hoogen said when he met with the day report center when they first opened, they were very set on the low risk, low needs population. Lasee said he has had additional conversations with the day report and they seem to have a better understanding of who will be targeted for participation in their program. Judge Walsh would like this ironed out as soon as possible because there are some people in this situation currently that could start with day report right away.

Evans suggested inviting a representative of Family Services to come to our next meeting to explain what they are doing with regard to the day report center and to iron out any concerns or issues. It was indicated that there have been several meetings with Family Services, but they were not well attended and that could be part of the reason there are still procedural questions. Family Services has been very willing to meet and very accommodating and open to working with the County on this. Judge Walsh asked if there was a sense that the program is not being implemented appropriately because of the lack of attendance at the meetings. Pritzl said it would probably be a good idea to have another meeting to discuss the issues and challenges that need to be figured out. Judge Walsh will raise this issue at the next judge's meeting and let them know that implementation of the program is getting a little bumpy because no one is showing up at the meetings. Lasee is willing to come to the judge's meeting to talk about this and he feels that Family Services would also be willing to come.

Motion made by Pat Evans, seconded by Joan Brusky to place this item on next month's agenda and ask Family Services to attend. Vote taken. MOTION CARRIED UNANIMOUSLY

9. **Mental Health Court (Judge Zuidmulder).**

Judge Walsh feels the biggest point to raise with regard to the treatment courts is the waiting list. Vanden Hoogen said there are currently 5 on the waiting list for mental health court, 7 waiting for drug court, and 5 or 6 for heroin court. Vanden Hoogen feels that when the case manager starts, the waiting list should be taken care of, but the wait list will probably start over again with new referrals. There are currently 18 participants in mental health court, 5 in veterans' courts, 20 in heroin court and 20 in drug court. Streckenbach asked if all of these people would be in jail if there were not treatment courts available to them. It was indicated that they would all be in jail or prison. It was

noted that if some of these people do not succeed in treatment they will be heading to prison. Streckenbach said it is important to recognize that without the treatment courts, the jail would be at capacity. He is interested in learning more about the bails and bonds and what the day report center will be able to do to help this.

10. **Heroin/Drug Court (Judge Walsh).**

Judge Walsh did not have anything to add other than what has been discussed above.

Motion made by Pat Evans, seconded by Joan Brusky to receive and place on file Items 9 and 10. Vote taken.

MOTION CARRIED UNANIMOUSLY

11. **Future agenda items, if any.**

The next meeting date was discussed and January 26, 2017 at 8:00 am was selected.

12. **Such other matters as authorized by law. None.**

13. **Adjourn.**

Motion made by Supervisor Evans, seconded by David Lasee to adjourn at 9:05 am. Vote taken. MOTION CARRIED

UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Recording Secretary