

**PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE**

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Public Safety Committee** was held on February 2, 2021 at the Brown County Sheriff's Office, 2684 Development Drive, Green Bay, Wisconsin.

Present: Chair Deneys, Supervisor Coenen, Supervisor Kaster, Supervisor Schultz, Supervisor Lund
Also Present: Public Safety Communications Director Cullen Peltier, Sheriff Todd Delain, Community Services Manager Jenny Hoffman, Behavioral Health Manager Ian Agar, DA Office Manager Michele Andresen, Legal Assistant II Jacque Tilot, District Attorney David Lasee, Director of Administration Chad Weininger, Supervisor Borchardt, other interested parties

I. Call meeting to order.

The meeting was called to order by Chair Deneys at 6:00 pm.

II. Approve/Modify Agenda.

Chair Deneys would like to amend the agenda to take Item 16 following Item 6.

Motion made by Supervisor Kaster, seconded by Supervisor Lund to approve as amended. Vote taken. MOTION CARRIED UNANIMOUSLY

III. Approve/Modify Minutes of January 5, 2021.

Motion made by Supervisor Kaster, seconded by Supervisor Coenen to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Comments from the Public – None.

1. Review Minutes of:

- a) **Crime Prevention Funding Board (November 17, 2020).**
- b) **Criminal Justice Coordinating Board (December 8, 2020).**
- c) **Local Emergency Planning Committee – LEPC (November 10, 2020 and January 12, 2021).**

Motion made by Supervisor Kaster, seconded by Supervisor Lund to suspend the rules to take Items 1 a – c together. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Kaster, seconded by Supervisor Schultz to receive and place on file Items 1 a – c. Vote taken. MOTION CARRIED UNANIMOUSLY

Public Safety Communications

2. Director's Report.

- a) **COVID -19 Update – Standing Item.**

Public Safety Communications Director Cullen Peltier reported they will be doing a modified backup test at the center on February 12. This test is being done to exercise the backup system and also to give staff the opportunity to clean things up a little bit. The test will not have much of an impact on operations. Peltier also mentioned they are still working with TeleStaff, but it is not meeting expectations the way he hoped it would, but they will go with it for now.

Peltier continued that the Public Safety Advisory Board met virtually recently and will continue to do so on a quarterly basis. Regarding the CAD system, Peltier noted they are still working on cleaning up some issues and noted they will not make the final payment to the vendor until those issues are resolved. In terms of staffing, they are currently down two, but they will be sending out offers soon and hope to get the positions filled by mid to late February. Peltier also talked about their budget and said it looked good for the end of the year and he anticipates they will be able to cover the overages in the Emergency Management budget as well.

National Telecomm Week is coming up and although they will not be able to hold any in-person activities, Peltier said they are looking at ways to do some video tributes or similar things. Regarding COVID, they are still following the same protocols they have had since the pandemic began. Peltier noted there was a minor outbreak recently, but they got through the weekend okay and they continue to move forward. Chair Deneys asked if those that were out used the mobile work stations. Peltier responded that those who were off were entitled to pay while they were off, so they did not utilize those work stations.

**Motion made by Supervisor Schultz, seconded by Supervisor Coenen to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Emergency Management

3. Director's Report.

a) COVID – 19 Update – Standing Item.

Peltier reported for Emergency Management. EM is working on updating their Y cam cards which are statewide disaster cards they do for all the agencies. They are also working on an EOC orientation course as part of an after-action item from the COVID response and they hope to be able to test it out soon. Peltier continued that the All Hazard Mitigation Plan was approved by the Board at the last meeting and Peltier thanked the committee for that. EM Director Lauri Maki will be working on forming a committee to work on the next Mitigation Plan which will have to be updated again in five years. They are still working on their grant requirements as well as completing their Certified Emergency Manager program which is part of the job duties and requirements.

Peltier continued that the National Weather Service just put out their spring forecast and there will be some meetings coming up on that, but so far the forecast looks a lot better than last year. Peltier concluded by talking about EM's COVID response and informed they continue to work with Public Health on the PPE and logistics as well as some vaccination planning.

**Motion made by Supervisor Coenen, seconded by Supervisor Lund to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Clerk of Courts

4. Clerk of Courts Report.

a) COVID – 19 Update – Standing Item.

No report; no action taken.

District Attorney

5. District Attorney Report.

a) COVID-19 Update – Standing Item.

District Attorney David Lasee and Office Manager Michele Andresen addressed the committee. Lasee informed the office is extremely busy and the overall tenor is pretty stressed. The inability to hold in-person hearings and jury trials during COVID has created an overwhelming backlog of cases throughout the criminal justice system. Lasee continued that at one point there were 120 jury trials scheduled for February and there are still 99 on the calendar, including one cold case homicide trial that is scheduled to take two weeks and will utilize two prosecutors. There is another homicide trial directly after the cold case homicide trial. They have been doing two cases per week since the beginning of the year and that is about double what they normally do. Budgetarily this will be reflected in areas such as expert witness fees and process service fees in 2021. They were over on some things in 2020 such as process service, but they had some savings elsewhere so they should be on budget for 2020. They are keeping track of trials and additional expenses associated with them for 2021. Lasee noted they cut their process service

budget down to \$20,000 because that was more in line with what they had been doing, especially with the investigators, but for January 2021 they are already at \$3,000 for process service to ADL and \$2,700 for their own staff. Yesterday alone the investigators served 28 subpoenas and Lasee reiterated right now the office is very stressed.

Michele Andresen announced that she has accepted a position as a Court Coordinator for Judge Hock and therefore she will be leaving the DA's office. She thanked the committee and the Board for their help and support over the last five years in making her job easier, especially when it came to the budget. Her position will be posted soon and Lasee informed there are will likely be some good internal candidates and they will also be interviewing outside candidates. The committee thanked Andresen for the work she has done while at the DA's office and Lasee also thanked her and added that she has done a very good job. He noted that he and Andresen have had a number of conversations about feeling helpless when it comes to staff who come to them because they are busy and there is not much that can be done except to tell them to keep doing the best they can.

Lasee concluded by saying that COVID has not had a substantial affect on his staff as most staff have been working remotely. There are some positions that cannot be done remotely, and those people are back working in the office. Andresen added that staff working at home have now gotten their second docking stations which will make things easier for them.

Motion made by Supervisor Kaster, seconded by Supervisor Coenen to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Circuit Courts, Commissioners, Probate

6. Director's Report.

a) COVID-19 Update – Standing Item.

Judge Hock appeared by telephone. She informed that in some regards things are progressing a little better in the courthouse and they are starting to accomplish a little more than they had during COVID. She noted she had a jury trial last week, has one this week and another scheduled for next week. Regarding the budget, Judge Hock informed there is nothing of concern at this time.

Motion made by Supervisor Kaster, seconded by Supervisor Coenen to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Although shown in the proper format here, Item 16 was taken at this time.

Medical Examiner

7. Medical Examiner's Report.

a) COVID-19 Update – Standing Item.

Medical Examiner Director of Operations Barry Irmen appeared by phone. Irmen informed January numbers do not look too bad, but there were more cases than they have had in January over the last several years. This will affect the financial numbers and Irmen has talked to the Director of Administration about this. The increased numbers are the result of doing more autopsies and more external examinations.

Regarding the new building, Irmen said there has been great progress and the project is still on schedule. He noted there has been some debate about ponding on the roof which should not be there. Public Works is reviewing the roof plan with the roof contractor. Other minor issues have occurred, but they have all been resolved. Carpet has been laid in a good portion of the building and they are currently working on the floor in the lab and autopsy areas. The ceiling grid is in and work is also being done on the cooler and freezer. Things are moving along as they should and on schedule. The substantial completion date is still at the end of May and Irmen said he is coming up every other week for meetings on the building and he also comes up the week between meetings to do walk throughs.

Irmen also updated the committee on COVID. He informed they are still seeing a fairly substantial number of cases coming from scene investigations where the decedents are COVID-positive. Dane County is still testing decedents so there is still a delay. The Medical Examiner's Office is at the mercy of the State Lab of Hygiene who does not do testing on Sundays or holidays and that is creating friction for some of the funeral homes. Irmen feels this is likely

going to continue through 2021, although it depends on what happens with the different variants of COVID as well as projected vaccine shortages. Irmen continued that they had one staff member out for a short period of time while awaiting COVID test results and all staff continues to use the appropriate PPE.

Members of the committee who are interested in a tour of the new facility can reach out directly to Irmen.

Motion made by Supervisor Schultz, seconded by Supervisor Lund to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Sheriff

8. Update re: Jail Addition – *Standing Item*.

Sheriff Todd Delain reported he recently found out the jail project is about three weeks behind schedule. It is still anticipated that the new pod will open in April, but not until the end of the month or possibly the first few days of May. Part of the delay is COVID-related, some is related to materials and the rest is due to some change orders that were done to make sure everything is right. Delays like this are not unexpected in projects similar in scope to the new pod, but Delain wanted to be sure the committee was aware of the current status of the project.

Deneys informed that when the committee does their annual jail walkthrough, he would like to be able to tour the new pod before it is opened up for inmates. Delain responded that April would be a good time to do that and he noted that before the state will authorize inmates to be placed in the new pod there is a lot of testing that will be done in the last several weeks of the project to be sure it is secure and safe for inmates.

Standing item; no action taken.

9. Budget Adjustment Request (21-004): Any increase in expenses with an offsetting increase in revenue.

This 2021 budget adjustment is to increase non-governmental grant revenue and related supplies expense for a grant from the Greater Green Bay Community Foundation. Funds are earmarked to purchase a replacement K-9 dog. There is no specific match for this grant, but funding does not include training expenses for the dog.

Motion made by Supervisor Lund, seconded by Supervisor Schultz to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

10. Budget Adjustment Request (21-009): Any increase in expenses with an offsetting increase in revenue.

This request is to increase overtime and fringe benefits to reflect participation in the 2020-21 Local Alcohol Enforcement Task Force grant for the Wis. DOT BOTS Office. This grant passes through the Green Bay Police Department and is shared by other county agencies. Increased expenses for overtime patrols are offset by grant revenue.

This is an annual grant program that has been provided to the County in prior years. However, it was not included in the 2021 budget because the amount had not been determined when the budget was created. This adjustment is for only the calendar year 2021 portion - \$32,000 estimated Brown County share.

Motion made by Supervisor Kaster, seconded by Supervisor Schultz to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

11. Budget Adjustment Request (21-010): Any increase in expenses with an offsetting increase in revenue.

This request is to increase overtime and fringe benefits to reflect participation in the 2020-21 Click It or Ticket/Speed Enforcement Task Force grant from the Wis. DOT BOTS Office. This grant passes through the Green Bay Police Department and is shared by other county agencies. Increased expenses for overtime patrols are offset by grant revenue.

This is an annual grant program that has been provided to the County in prior years. However, it was not included in the 2021 budget because the amount had not been determined when the budget was created. This adjustment is for only the calendar year 2021 portion - \$21,000 estimated Brown County share.

Motion made by Supervisor Schultz, seconded by Supervisor Lund to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

12. Budget Adjustment Request (21-011): Any increase in expenses with an offsetting increase in revenue.

This request is to increase overtime and fringe benefits to reflect participation in the 2020-21 OWI Enforcement Task Force grant from the Wis. DOT BOTS Office. This grant passes through the Green Bay Police Department and is shared by other county agencies. Increased expenses for overtime patrols are offset by grant revenue.

This is an annual grant program that has been provided to the county in prior years. However, it was not included in the 2021 budget because the amount had not been determined when the budget was created. This adjustment is for only the calendar year 2021 portion - \$25,000 estimated Brown County share.

Motion made by Supervisor Kaster, seconded by Supervisor Schultz to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

13. Discussion regarding RFP for body, squad and interview cameras.

Delain informed he has been asked about this several times by Board members as well as community members. He noted the Green Bay Packers have expressed willingness to help cover a portion of the cost of body cams and Delain would like to get back to them with some numbers so the Packers can determine what they are willing to cover.

Delain continued that the Green Bay Police Department is already moving forward with body cams through Axon and noted that they did not do an RFP. They are looking at a combination of body cams, squad cams and interview room cameras. Squad and body cams tie together the most and it is important that they are in sync.

After much discussion about this with Sheriff's Department staff, Delain feels the most prudent thing to do is have an RFP drafted to really determine what options are out there and what the cost would be. An RFP would allow all companies to present their product. An RFP would include selection criteria and Delain feels it is important to have other entities impacted by the decision, such as the District Attorney's Office, included in the selection process. Once the cost is determined, that information can be provided to the Packers so they can make a decision as to what they wish to contribute. At this time Delain is looking for direction from the committee and added that an RFP would also be beneficial in the budget process as he would have solid numbers to work with.

Delain continued that the current cameras in the squads are almost six years old and the cameras in the interview rooms have been in place since 2010 or 2011. The squad cams are starting to have some problems and they have been replacing them as they go out.

Schultz questioned if Green Bay realizes that selecting a system on their own is somewhat concerning for other law enforcement agencies in the county as well as for the District Attorney's Office. Delain responded he feels Green Bay made their decision based on what they believe to be the best product and option for them and now the Sheriff's Department will have to adjust accordingly which may make things a little more difficult. Delain does not believe Ashwaubenon has made a final decision on this yet, although they are currently going through the process. The City of De Pere has had body cams for a period of time and they are using the same product that Green Bay is. Delain still feels it is appropriate to see what products are out there because technology is constantly changing and there may be something with a similar platform. He does not want to make a decision on something so significant that will have ongoing operational costs for a significant period of time without knowing all the options.

Delain continued that squad cams are now the norm and the expectation in Wisconsin is to have them in every squad. He is not sure we are there with regard to body cams but based on his experience and being involved in a lot of different organizations, the trend is absolutely moving in the direction that body cams will be the absolute

minimum standard associated with law enforcement. Having body cams just shows the community what the officers are dealing with and what occurs during specific situations.

Schultz respects Delain's prudence on this and asked if it would be appropriate to contact the GBPD and ask them to wait a little bit so they don't screw things up. Delain responded that he can have a discussion with them and added that if Green Bay and De Pere are both using the same system, to a degree it would make things more complex for us to go with a different option, but ultimately the county needs to do what is in best interest of the District Attorney's Office and the citizens of Brown County.

Kaster asked if Green Bay and De Pere went with body cams, squad cams and interview room cams with Axon. Delain responded that Green Bay is going with Axon for body cams and squad cams, but he is not sure about interview rooms. De Pere has Axon for body cams, but he is not sure about squad cams or interview room cameras. Delain said the interview room component is just a small piece of the puzzle. The important thing is that all components are operational together because of the software involved and the evidence collection behind it which includes processing and redacting. Schultz added it is important the District Attorney's Office is able to efficiently use the product as well. Delain agreed and said he would like to have input from the District Attorney's Office on this to be sure whatever is selected is useful to them and easy to use.

Supervisor Coenen appreciates Delain's perspective in working with the District Attorney's Office on this since they will ultimately be the end user. She agrees with putting out an RFP to see what is available and what will be best for Brown County. Coenen also noted that just because Green Bay and De Pere have already selected a system, Brown County still must do what is best for us and further, not all of Brown County's population resides in Green Bay or De Pere.

Deneys said having a good redaction feature is key, especially when it comes to manpower for records staff.

Motion made by Supervisor Schultz, seconded by Supervisor Kaster to recommend the Sheriff put out an RFP for body, squad and interview room cameras. Vote taken. MOTION CARRIED UNANIMOUSLY

14. Sheriff's Report.

a. COVID-19 Update – Standing Item.

Delain informed that a number of his officers have made the decision to get the COVID vaccine. Delain has already had his first dose of the vaccine and officers will start getting their second shot next week. He has encouraged all employees to educate themselves about the vaccine and then make their decision based on that. COVID has not had a significant impact on staff and all staff is still operating under the same procedures they have been since the pandemic began and will continue to do so. They have had a few employees out with COVID, but the number has been greatly reduced compared to last year.

Lund asked Delain about the federal program that provides military vehicles and heavy machinery to law enforcement as this was brought up at the inauguration and it sounded like President Biden was looking at eliminating the program. Delain said the President has indicated he is not a supporter of the program and that is unfortunate. Delain is in support of the program and said Brown County has managed the program well and it has served the Sheriff's Department and citizens of Brown County well over the years. He would like to see the program controlled a little better to see that the equipment is being used appropriately rather than getting rid of the program altogether. Lund doesn't feel the program leads to police brutality or anything like that; he feels it is used in cases where it saves lives. Schultz added that there have been critical incidents in just the last few months where equipment obtained through the program was used by the Sheriff's Office to save lives. Lund said without the program, we would have to buy the equipment and it would be a budgetary item for us and added that the President cannot dictate to the Sheriff's Department how to run their department.

Delain said one of the things that is misunderstood about this program is that there is really two parts to it. One part provides equipment that is controlled, but the other portion is equipment that is given out that is not controlled. There are certain pieces of equipment the Sheriff's Department receives that is always accounted for and can never leave the control of the Sheriff's Department. This equipment is basically on loan to the Sheriff's Department. A piece of armored equipment never actually is the possession of Brown County; it is on loan to us indefinitely and when we are done with it, the equipment needs to be transferred to another law enforcement

agency that can accept it or it has to be returned to the federal government. This includes armored equipment, firearms and components of firearms. These controlled items are the things the Sheriff's Department must report on and information on those items is included in open records requests. Equipment that is obtained on the second part of the program is accounted for for only one year. After one year, that equipment becomes the property of the Sheriff's Department and can be disposed of however Delain chooses. Delain talked about some of the equipment the county has received through this program and reiterated he would support some changes made to the program, but he does not want to see the program end. He said Brown County only uses the equipment obtained through the program after officers are fully trained and only in situations where the equipment is necessary.

Delain continued that the DOC is not paying for inmates being housed in the Brown County Jail again and they are also only accepting a small number of inmates sentenced to prison, if any at all. At one point Brown County was allowed to ship four inmates every other week. Then there were COVID issues in the prison system and they no longer took sentenced inmates in. As of yesterday, there were 60 inmates in the jail that have been sentenced to prison. The taxpayers of Brown County are paying to house these inmates and provide food and medical care at the rate of about \$50 per day per inmate. Delain does not have any option other than to continue to house these inmates and he noted that many of them are violent offenders that cannot just be released.

Delain has also recently received notice that effective February 1 the DOC will no longer be able to pay the county to house these inmates. He recalled that last year this committee directed him to send a letter to the DOC which resulted in the DOC paying the county for housing the inmates with funds from the CARES Act. The county received a significant amount of money during this time. Delain would rather not hold these inmates in Brown County, but because there is no alternative, he feels it is only fair that the county be reimbursed for the costs. Delain continued that the Badger State Sheriff's Association is working on a letter that will be sent to the DOC stressing the importance of the State of Wisconsin paying the counties for housing these inmates. Delain will also be reaching out to our local representatives to let them know what is going on.

Coenen asked if this could have anything to do with staffing in the prisons. Delain does not want to guess what the reason is, but he has been told it is related to COVID. He has also been told by jail administrators that they are able to move inmates from one institution to another, but they are not taking them in from county jails.

Borchardt feels this is another reason to be sure our state representatives are at the next meeting to hear about this issue as well as the public defender issue talked about earlier.

Coenen asked if Delain is planning to send another bill to the state. Delain responded that he fully intends to send a bill with an explanation that he does not believe it is fair for the county to have to house these inmates at the county's expense. The County Executive and Director of Administration are also aware of this issue and the County Executive has asked Delain to reach out to Milwaukee County and he will be doing this soon. It is Delain's understanding that Milwaukee County is currently housing over 200 inmates that are supposed to be in the state prison system. Coenen said she appreciates Delain staying on top of this and she is definitely in favor of him sending another bill to the state.

Lund feels this is more about long-term effects in the prison system than it is about COVID. He does not think there is enough room in the prisons, and the state does not want to build any more facilities. He feels this is going to lead to long-term effects in the justice system if the state does not take a top down approach. Brown County cannot keep fixing statewide problems.

Delain concluded his report by saying the year-end budget figures for 2020 are not in yet, but he feels the Sheriff's Department should end the year fine.

**Motion made by Supervisor Coenen, seconded by Supervisor Kaster to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Communications – None.

Other

15. Update regarding Mental Health Social Worker Position as referenced in October 13, 2020 Criminal Justice Coordinating Board Minutes; *referred from last meeting.*

Community Services Administrator Jenny Hoffman and Behavioral Health Manager Ian Agar addressed the committee. Agar provided a handout, a copy of which is attached, and outlined the data in the handout.

Agar continued that they are recruiting for a second Mental Health Social Worker and that position will work with the Green Bay Police Department, Ashwaubenon Police Department, De Pere Police Department and Brown County Sheriff's Department.

Hoffman informed there was interest in adding a second position based on the success of the first position and she thanked this committee and the Board for approving the position for the budget. Hoffman and Agar have been working with all the jurisdictions as well as Health and Human Services Director Erik Pritzl and Crisis Coordinator Josh Zimmer to pull information together. This has been a little challenging as there will be one clinician team working with four different jurisdictions. There also have been some challenges with regard to demographics, travel and transportation, COVID and non-ride alongs.

Some of the other items they are working on are the MOUs that are necessary with each jurisdiction. At this time the MOUs have been signed by the jurisdictions and are currently awaiting final approval from Corporation Counsel. Interviews for the second position have just concluded and the interview panel included representation from the Sheriff's Department and Green Bay Police Department. An offer has been made to a candidate, but they are not ready to announce the candidate yet.

Hoffman continued that they have also looked at some of the things they have learned from the Green Bay Police Department and noted they have shared some really good information, mostly about building the relationship between the clinician and the officers and the integration of the clinician into the law enforcement world and vice versa. They are also working on scheduling, safety protocols, policies and a training plan as well as measuring outcomes similar to what was shared tonight because they want to make sure they can show success with the position.

Schultz said this is new to him and he thinks it is awesome. He asked if the SMART person is dispatched at the same time as law enforcement, or if they are called in if the police department thinks they need them. Agar responded that the SMART person is called in by the police department. Hoffman added that law enforcement secures the scene and the clinician is then brought in. Schultz thanked Agar and Hoffman for their work on this and said it is an awesome program.

Deneys said he recently heard of a situation where an EM1 call had to be taken to Winnebago because of the lack of vacancy in Brown County and asked if this is a problem that comes up often. Agar responded that the census at Nicolet Psychiatric Hospital and local providers has not been at capacity and he speculated that there was either a level of dangerousness associated with the person that would require placement outside Brown County or there was a COVID condition which would prevent them from being placed at Nicolet. Even after all that, there would not have had to been capacity at Willow Creek or Bellin, but without more specific information, he cannot say for sure why this person was taken to Winnebago. Hoffman added that they try to keep people local when possible and Agar said about 50% percent of the placements are at Nicolet and the remaining placements typically go to Willow Creek or Bellin.

Deneys informed he would like Hoffman and Agar to come back before the committee next year to give an update as to how things are going with the second clinician in place.

Delain informed the relationship with the Sheriff's Department and Health and Human Services is very good. The Sheriff's Department is continuously working with Human Services to try to improve mental health services for those in the community as well as those in jail. He said they are also working with the clinician team to get them to understand the capabilities of the jail so they can understand whether or not someone belongs at some other location than the jail. For example, Nicolet Psychiatric has a lot more resources available for mental health and observation than the jail does. The jail does not have the same resources or ability to monitor someone who is

going through a mental health crisis at the jail. They have been working to ensure the clinicians are more familiar with what the jail can safely monitor.

Motion made by Supervisor Lund, seconded by Supervisor Coenen to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

16. Update re: Difficulty Getting Public Defenders Appointed as referenced in October 13, 2020 Criminal Justice Coordinating Board Minutes; referred from last meeting.

Judge Hock informed the difficulty in getting public defenders appointed is an ongoing and alarming issue in Brown County. She noted the rate for public defenders was raised from \$40 an hour to \$70 an hour and that helped get cases assigned about a year ago, but the reality is that \$70 is not enough to make it worthwhile for a lot of attorneys to take cases. Judge Hock also feels there are less attorneys in Brown County taking public defender cases.

She continued there are more and more people being held in custody without attorneys that qualify for public defenders. There was recently a case decided by the Wisconsin Court of Appeals that says if someone is waiting for a preliminary hearing for 113 days, their case needs to be dismissed and she noted that in Brown County it would not be shocking to have someone in custody for 113 days awaiting a preliminary hearing. This is an issue that those entities in the criminal justice system are trying to work on. Meetings have been held with the DA's Office, Public Defender's Office, Court Commissioners and Judges to see what can be done to address this situation. Judge Hock would like to do a formal presentation at the next Public Safety Committee meeting with these entities to discuss this in greater detail and talk about some potential ways to help solve the problem. She wants the committee to be aware that the potential solutions would all have significant impacts on the budget.

Lasee added this problem really impacts the entire criminal justice system. He has been filing letters with the courts asking them to appoint lawyers when the Public Defender's Office cannot appoint them because there is a safety interest in moving these cases forward. Lasee continued that the delays in Brown County on some of these cases are so significant that we could have a constitutional speedy trial violation which could end up with a case being dismissed with prejudice and it would likely be a violent crime as those are the cases that have the most difficulty getting public defender's appointed. In addition to the hourly rate being low, the local Public Defender's Office has so much turnover and the young new lawyers are not qualified to take these complex cases. Lasee noted there was a case recently where the defendant waited in custody for a year to have a public defender appointed. Judge Hock added that if the court appoints an attorney the county must pay the attorney whereas if the Public Defender's Office appoints an attorney, the state pays.

Supervisor Borchardt asked if Supervisors could go to the WCA to advocate for a solution and informed she would be willing to make phone calls because if this problem exists in Brown County, it is probably happening across the rest of the state. Judge Hock responded that prior to the increase to \$70 an hour, it had been 20 years since there was a rate increase and she does not know if the state would entertain another rate increase so quickly. She also said she has been informed this problem does not exist in Milwaukee and Dane counties which may mean there would not be much support for increased rates. Judge Hock feels it may be worth a try to do some advocating for this, but she does not know how effective it would be. Borchardt reiterated she would be willing to make some calls to Supervisors in other counties as well as reaching out to WCA to see where the meter lies regarding moving this forward. Deneys suggested Borchardt hold off on making phone calls until after the presentation at the next Public Safety meeting.

Supervisor Schultz asked why Milwaukee and Dane counties do not have similar problems getting public defenders appointed. Lasee feels those may be more attractive places to live for young lawyers right out of law school and it is typically young lawyers who take the public defender cases. The criminal defense bar in Brown County is mostly seasoned attorneys who have been around for a while and do not want to take cases for \$70 an hour when they can bill private pay clients double that. Lasee added that Milwaukee charges three times the number of felonies Brown County does, but they also have 108 prosecutors compared to Brown County's 18 prosecutors. Lasee said there also seems to be some disparity in the way larger counties look at crime, but he does not feel that Brown County over charges crimes either.

Borchardt suggested that our state representatives be invited to attend the presentation at the next meeting.

Motion made by Supervisor Lund, seconded by Supervisor Schultz to refer to next month's meeting for a presentation. Vote taken. MOTION CARRIED UNANIMOUSLY

17. Audit of bills.

Motion made by Supervisor Coenen, seconded by Supervisor Schultz to approve the audit of the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

18. Such other matters as authorized by law. None.

19. Adjourn.

Motion made by Supervisor Kaster, seconded by Supervisor Coenen to adjourn at 7:42 pm. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Administrative Specialist

Brown County Systemwide Mental Health Assessment and Response Team 2020 Statistics

Data collection continues to be any area of development for this team. All efforts are made to ensure the accuracy of the information being presented.

Overall, the Systemwide Mental Health Assessment and Response Team (SMART) had 1,341 client contacts involving 538 unique clients. This averages to be 2.49 contacts per person served. These contacts vary from face-to-face interactions, assessments, phone calls, follow-up, and emails from or regarding specific individuals. Of the 328 interactions that were completed face-to-face, 165 (50.3 %) of the contacts resulted in a formal crisis assessment being completed after meeting criteria for an assessment. Crisis assessments are completed when the client's situation is caused by an apparent mental disorder which results in a high level of stress or anxiety for the individual, persons providing care for, or the public which cannot be resolved by the individuals existing coping methods.

SMART Team Unique Individual Contacts for Adults and Youth (n=538)	
Adult	Youth
485	53

Source of SMART Team Referrals that Resulted in an Assessment (n=165)		
	Adults (n=130)	Youth (n=35)
Concerned Person	8	0
Dispatched	104	30
Follow-up	5	1
PD Internal Referral	7	3
SMART Team Referral	6	1

Source of SMART Team Referrals:

Concerned Person- An individual makes direct contact with the clinician or one of the officers apart of the SMART Team and relays information regarding a potential situation that may need a response.

Dispatched- The contact was initiated from the law enforcement dispatch system.

Follow-up- The contact was initiated as follow-up, after an initial contact with the individual had already been made previously.

PD Internal Referral- The contact was initiated by an internal referral from a Green Bay Police Department officer. This would also include calls where assistance from the SMART Team is requested.

SMART Team Referral- The contact was initiated by a member of the SMART Team. For example, a case manager requests that the SMART Team attempt to make contact with an individual. These would include "jumped calls" that the SMART Team chooses to respond to.

SMART Team Overall Face-to-Face Assessment Outcomes (n=165)				
	Adults (n=130)	Youth (n=35)	Total (n=165)	Percent Outcome
Placement not required to ensure safety	43	15	58	35.2%
Crisis Stabilization	8	0	8	4.85%
Emergency Detention	52	11	63	38.2%
Voluntary Hospitalization	16	7	23	13.9%
Other More Restrictive Action	1	1	2	1.21%
Dual Detention	8	0	8	4.85%
Arrest	2	1	3	1.82%

Definition of Placement Outcomes:

Placement not required to ensure safety- The assessment resulted in an outcome that did not require a more restrictive placement. Potential outcomes include the individual was not in crisis, the individual de-escalated, or a safety plan was established.

Crisis Stabilization- An individual voluntarily agrees to be placed at a community based residential facility, that specializes in providing supportive services to individuals experiencing a mental health crisis.

Emergency Detention- An individual meets the dangerousness criteria under Chapter 51.15 of either being a harm to themselves or others, a danger to themselves due to impaired judgement or inability to satisfy their basic needs.

Voluntary Hospitalization- An individual is agreeable to going to a psychiatric hospital. No formal legal action is taken to have the person placed at the hospital.

Other More Restrictive Action- This section can include a return from conditional, which is when a person on a Chapter 51 commitment is taken back to the psychiatric hospital related to decompensation or a treatment condition violation; or an Adult Protective Services actions such as an emergency protective placement which places an adult individual in imminent danger in a safe setting.

Dual Detention- The individual is dually placed on an emergency detention and arrested. The individual is first provided psychiatric evaluation and treatment at a psychiatric hospital. At the time of discharge from the psychiatric hospital, the person is detained by law enforcement and taken to jail.

Arrested- The individual is detained and taken to jail related to legal charges.

Follow-Up

The clinician made 331 follow-up contacts with and related to the individuals they had previously worked with. Follow-ups include in-person visits, phone contacts, emails with information, and court related appearance.