

PROCEEDINGS OF THE BROWN COUNTY
HUMAN SERVICES COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the Brown County Human Services Committee was held on Wednesday, September 26, 2018 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, WI.

Present: Chair Hoyer, Supervisor Evans, Supervisor Brusky, Supervisor Linssen, Supervisor DeWane
Also Present: Supervisor Tran, Supervisor Borchardt, Health and Human Services Director Erik Pritzl, TAD/CJCC Court Supervisor Mark VandenHoogen, Community Services Administrator Jenny Hoffman, Public Health Officer Anna Destree, ADRC Director Devon Christenson, Finance Manager Eric Johnson and other interested parties.

I. **Call Meeting to Order.**

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

II. **Approve/Modify Agenda.**

Motion made by Supervisor De Wane, seconded by Supervisor Brusky to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

III. **Approve/Modify Minutes of August 22, 2018.**

Motion made by Supervisor De Wane, seconded by Supervisor Brusky to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Comments from the Public - None.

1. **Review Minutes of:**

- a. Children With Disabilities Education Board (August 21, 2018).
- b. Human Services Board (August 9, 2018).
- c. Veterans' Recognition Subcommittee (August 14 & September 18, 2018).

Motion made by Supervisor De Wane, seconded by Supervisor Evans to suspend the rules to take Items 1a-c together. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Motion made by Supervisor De Wane, seconded by Supervisor Evans to receive and place on file Items 1a-c. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Communications – None.

Wind Turbine Update

2. Receive new information – Standing Item. No new information.

Health & Human Services Department

3. Follow up re: Criminal Justice Department.

TAD/CJCC Court Supervisor Mark VandenHoogen provided a follow-up presentation regarding the formation of a Criminal Justice Department. A copy of the Power Point presentation is attached.

Following the presentation Supervisor Evans asked what is currently being done with regard to researching risk on current defendants. Vanden Hoogen said different assessment tools are used by different parts of the system but there is currently no assessment tool being used for the pretrial population. Evans is in favor of the pretrial evaluations and having a tool for that because the more information available the better and he asked who will be doing the evaluations. Vanden Hoogen responded that there would be identified staff that would

come into the jail and do the assessment and then provide the recommendations to the court system. Evans questioned if Vanden Hoogen is saying we would then not need to have a day report center. Vanden Hoogen said that is not what he is saying; the current day report center model would be incorporated into the proposal being made. There would be staff that would fulfill the role of what the day report center is currently doing.

Health and Human Services Director Erik Pritzl informed the criminal justice services will be included in their proposed 2019 budget. There would be a transition with Family Services and at some point in 2019 the day report services with Family Services would be discontinued. Evans asked if this will save money and Pritzl responded that that is the intention. When this was discussed at Criminal Justice Coordinating Board, it was indicated that knowing the defendant mix from year to year is a challenge, but the goal is to save money through better placement of people in the criminal justice system and the appropriate responses that go with their risk level. Evans pointed out that over the years there has been so much work to be sure we can work with providers in the County, but now it seems some of these things are coming back in-house and he has great trepidation with this.

Pritzl said he had similar feelings as Evans and recalled how long we talked about day report before it was put into effect. In looking at day report, they are looking at the whole pretrial and diversion concept and that is where he looks at the Outagamie County model and sees that they are able to save some money because the number of people they are able to serve in pretrial and diversions services has increased so much. That is exciting because if a department can serve more people with a more effective response system, it seems better. Pritzl has some of the same concerns Evans has regarding how this will all fit together and said when he started looking at this more broadly as pretrial and diversion services, not just one service in isolation, that is when he started getting a better understanding of how this all could work.

Supervisor Brusky said she has visited the day report center and asked if all the services and classes they currently provide would be included in the new model. Vanden Hoogen responded they would use external providers and the reason for this is research shows someone who is more criminally minded can harm some of the lower risk populations because they tend to prey on them and promote recidivism and future criminal activity so it is best to keep them separated when possible.

Supervisor Linszen asked if the financial proposals include any estimate of what would be saved on the corrections side. Vanden Hoogen said the corrections numbers could increase or decrease and there is no way to know that because the number of people in jail on pretrial status is a fluid number. Linszen asked if the intention and expectation would be to see an average decrease in pretrial detentions in the jail. Vanden Hoogen said the intention would be that there would be a decrease in the pretrial numbers in the jail.

When talking about pretrial services, Linszen asked if there was a pot of money in the proposal for individuals who may not be able to afford services. Pritzl said the Behavioral Health Division does have internal service providers for both substance use and mental health issues at the CTC. Every effort is made to try to get service providers lined up, but if the only option is the CTC, that could be used. An increase at the CTC for this has not been made in the budget and Pritzl said what happens in 2019 could be used in setting the 2020 numbers.

Linszen would like to see the external costs tracked to make a full evaluation of how much the jail population is being lowered as well as how much cost there is to other departments. This information would be useful in moving forward. With regard to the day report center, Evans asked what it is that the day report center is not doing to get to the point where it is felt they do not need to be utilized. Pritzl said it is not about what they are not doing and reiterated that it has been said consistently that they have been a good partner in all of this. It is about trying to put this together in a way that is of limited impact to our financial resources and to serve as many people as possible.

Motion made by Supervisor Evans, seconded by Supervisor De Wane to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

4. Executive Director's Report.

Pritzl informed Health and Human Services is nearing the end of their budget process. Hoyer asked if there was

any follow-up to the discussion held at the last meeting on Child Protective Services. Pritzl said they are focusing on gathering more information to understand the factors that are contributing to the turnover issues. There are fact-based things such as case load numbers and work load issues that they are looking at. They are also trying to gather information from staff regarding any other factors that exist. They understand the workload issues but want to make sure they know anything else because they want to do what they can to retain staff and find out what the factors are. Once the factors are all identified, they will look at what external providers can help out as there are some resources available and they want to make sure they are retaining the staff. Pritzl went to a division meeting and let the staff know that he has time blocked off in his schedule to meet with them to talk about any issues they see.

Motion made by Supervisor Evans, seconded by Supervisor De Wane to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

5. Financial Report for Community Treatment Center and Community Services.

Motion made by Supervisor De Wane, seconded by Supervisor Evans to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

6. Budget Adjustment Request (18-96): Reallocation of more than 10% of the funds originally appropriated between any of the levels of appropriation.

To be in line with best practice according to Prevent Blindness and the American Academy of Pediatrics, Public Health tests 4k and 5k children with a photo-refractor. Public Health currently relies on the Lions Club photo-refractor being available. Purchasing a photo-refractor will ensure Public Health will be able to provide services.

In light of a recent e-mail sent to the Board by a past employee of the Health Department pertaining to the use of the photo-refractor, Evans said he will not approve this budget adjustment. The e-mail contained a lot of good information and Evans feels the concerns with administration set out in the e-mail were fair and he also feels the response back from administration was harsh. Public Health Officer Anna Destree informed she has not seen the e-mail Evans is referring to. She said the Health Department follows evidence based practices in all of their programs and Prevent Blindness is the organization that said the Health Department could go the direction they did. Linssen summarized the e-mail and said it basically states the author feels the photo-refractor does not do enough to detect all possible conditions and is only meeting the mandatory requirements. Destree responded that the person who sent the e-mail is a former employee who was part of the hearing and vision program. Prevent Blindness has said that the photo-refractor is acceptable for some grades. It has been studied by a number of organizations who say that at this time it is appropriate to use for 4k and 5k. There are additional screenings beyond 4k and 5k in first, third and fifth grade. The goal of Public Health is to screen children, but there should still be assurance that these children are going to their eye doctors and providers to catch the things that need to be caught.

The Health Department recognizes that by putting so much effort into making sure they did not miss a child, they missed the piece where children were being directed to their providers. That is a significant chunk of what public health does, and that was not happening. Evans noted there are many children in the Green Bay Schools who live under the poverty level and telling them to go see their providers is unrealistic for many of those people.

Hoyer asked if options other than the photo-refractor are more expensive in terms of equipment or in terms of time and people administering the tests. Destree responded that it is capacity of staff. At one time this program used vision charts only, but they recently added the photo-refractor but they never increased the capability to deal with that. They evaluated the program to be sure they were doing things to meeting the evidence based strategies and the program was meeting the need within the capabilities and they finally reached a spot where they could not operate that way anymore. Purchasing the photo-refractor would ensure Brown County has the capability to do the testing in the event the Lions Club equipment is not available. No children are being missed in this; every single child is being screened.

Hoyer pointed out that voting against the budget adjustment would just make the Health Department continue to be reliant on the Lions instead of giving children better care. The argument could also be made that if we spent the money, there would be a better opportunity to screen all the children. Evans disagreed and said because of the tool, less screening is actually being done. He understands it is Prevent Blindness's best practice, but feels this is putting a greater burden on a great population of the community that cannot afford to have these services done and he feels the County is reducing what they will be providing to the people.

Motion made by Supervisor De Wane, seconded by Supervisor Brusky to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

7. Resolution Regarding Changes to the Health and Human Services – Community Services – Behavioral Health Division Table of Organization.

Pritzl said this is showing the partial year for 2018 along with the full annual for 2019. Brusky asked if this is going to be shortchanging anyone by taking these funds from the detox area. Pritzl said it will not because this area of spending was not as large as anticipated and this has provided some of the funding for this change.

Motion made by Supervisor Evans, seconded by Supervisor Brusky to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

***7a. Resolution Regarding Changes to the Health and Human Services – Community Treatment Center Table of Organization.**

Pritzl said lab services have been changed over the last year in that they no longer have a lab manager and they have also changed the amount of services offered in-house as well as contracted. With the volume and size of the facility, it makes sense to do some quick test things in-house while doing other testing outside. There were two part-time lab service specialist positions which both worked different hours, but as things were changing they had difficulty hiring a .5 versus a 1.0 full benefit eligible employee. This resolution would allow transition to a full-time lab services specialist and they will not need a lab services manager. The last part of this is with regard to the health unit secretary which includes some changes to the position description to update the requirements and make the salary more in line with the position.

Motion made by Supervisor Linssen, seconded by Supervisor Evans to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

8. Statistical Reports.

- a. Monthly CTC Data.
 - i. Bay Haven Crisis Diversion.
 - ii. Nicolet Psychiatric Center.
- b. Child Protection – Child Abuse/Neglect Report.
- c. Monthly Contract Update.

Motion made by Supervisor Linssen, seconded by Supervisor De Wane to suspend the rules and take Items 8ai, 8a ii, 8b and 8c together. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Linssen, seconded by Supervisor Brusky to receive and place on file Items 8ai, 8a ii, 8b and 8c. Vote taken. MOTION CARRIED UNANIMOUSLY

9. Request for New Non-Continuous and Contract Providers and New Provider Contract.

Motion made by Supervisor Evans, seconded by Supervisor De Wane to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Other

10. Audit of bills.

Motion made by Supervisor Linssen, seconded by Supervisor Brusky to acknowledge receipt of the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

11. Such other Matters as Authorized by Law.

It was noted the Human Services budget meeting will be held on Tuesday, October 16 at 5:30 pm in Room 200 of the Northern Building.

12. Adjourn.

Motion made by Supervisor Brusky, seconded by Supervisor Evans to adjourn at 7:13 pm. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Alicia A. Loehlein	Therese Giannunzio
Recording Secretary	Transcriptionist

Brown County Criminal Justice Services Follow Up

PRESENTED BY:

HEALTH AND HUMAN SERVICES EXECUTIVE DIRECTOR: ERIK PRITZL

TREATMENT ALTERNATIVES AND DIVERSION SUPERVISOR: MARK VANDEN HOOGEN

What is the purpose of this Presentation?

Provide feedback, education, and clarifications to questions/comments that were asked during the joint meeting on July 12th, 2018

Provide a closer look at specific parts of the Criminal Justice Services model (PSA)

Review previous information that was provided

Pretrial and Pretrial Detention

What is the Pretrial stage of the Criminal Justice system?

- The time between arrest and case disposition. Also the time when release and detention decisions are made

We spend approximately \$38 million per day to jail people who are awaiting trial (63% of the total jail population). That amounts to around \$14 billion annually

Pretrial detention is intended to be used sparingly, but national pretrial detention rates have grown from around 50 percent to 63 percent from 1990 to 2015

PRETRIAL JUSTICE INSTITUTE (2017); MINTIGNAN AND ZELING (2006)

Risk

What is Risk?

For some "risk" is a concept associated with the seriousness of a crime (ex. Felony poses a higher risk than a misdemeanor). In actuality, however even though a felon has been charged with a more serious offense than a misdemeanor, his or her relative risk of reoffending has nothing to do with the seriousness of the crime. "Risk" refers to the probability of re-offending. Lower Risk is one with relatively low probability of reoffending (few risk factors). Higher risk has a high probability of reoffending (many factors)

Examples of Risk Principle in everyday life-

- COMPASS
- Determining Health and Car Insurance premiums
- Personal Health Assessments (PHA)



LOWENKAMP & LATESA (2004)

Risk & Services

Higher Risk- More Intensive Supervision Services

Higher Need- More Intensive Treatment Services

Higher Risk/Higher Need- Typically requires full array of Treatment and Supervision services

Lower Risk- Less Intensive Supervision

Lower Need- Less Intensive Treatment Services

Low Risker/Lower Need- Typically do not require the full menu of services



Research & Risk

“Lower Risk Offenders will learn antisocial attitudes and behaviors from associating with higher risk offenders, which will make their outcomes worse

“Matching Supervision and treatment to an offender’s unique criminal risk factors and needs with proven programs significantly improves offenders outcomes, reduces recidivism and enhances public safety”

LOWENKAMP & ATESSA (2004); MCCORD (2003); PETROSHIN ET AL. (2000); MARLOVE (2012); ANDREWS (2006); AOS; MILLER, DRAKE (2008); KJACKENHJE (2008); TARMAN (2002)

Research & Risk

“ Deliver interventions in a manner consistent with client’s level of functioning and motivation, and provide an adequate dosage of intervention to realize reductions in reoffending. Do not target low risk clients or put them in prolonged treatment with higher risk clients”-

“Providing too much treatment or too much supervision is not merely a potential waste of scarce resources. It can increase crime or substance abuse by exposing individuals to more seriously impaired or antisocial peers, or by interfering with their engagement in productive activities such as work, school, or parenting.”

NATIONAL DRUG COURT INSTITUTE (2015); LOWENKAMP & SERLIN (2015); LOWENKAMP & ATESSA (2004); MCCORD (2003)



National Institute of Corrections

NIC completed a "Jail and Justice System Assessment (JJSA)" of the Brown County Jail in March 2017

- The purpose of the JJSA is to determine the need for improvements to the existing jail and operations and to determine the need for improvements to enhance the effectiveness of the overall justice system.

Involved all levels of Stakeholders within the Brown County Criminal Justice System

- Stakeholders agree that there is a need to "treat the core problem" and that "If you build it, they will come", so that just building without an approach to address the needs of the inmates is not a long term solution.

Preliminary Assessment Findings

- Need to establish a robust Pretrial Services program and resources to reduce delays in processing cases.
- Better system coordination leading to improved access to services and more seamless transition as offenders move through the criminal justice system.

Recommendations- #2: Establish Work Sub-Committees within the Criminal Justice System for policy evaluation and implementation

- Recommendation within that was the CJC should consider the possibility of creating new alternative programming and perform a cost-benefit analysis for each recommendation

Why use a Risk Assessment Tool?

OBJECTIVE ASSESSMENT- RISK TOOL

Not influenced by personal feeling, interpretations, or prejudice

Based on empirical research to predict future activity

Based on facts on participants and uniform across evaluators

SUBJECTIVE ASSESSMENT- INDIVIDUAL JUDGEMENT

Based on "gut" feelings or charges

Can be based evaluator's bias or effectiveness of manipulation of defendant

Results can be different for each evaluator based on those biases.

"An abundance of empirical research has shown that actuarial risk assessment (Objective) is more accurate at risk prediction than sole reliance on professional judgement (Subjective)"

Public Service Assessment (PSA)

What is the Public Service Assessment (PSA)?

It is a pretrial risk assessment that Judges can use when deciding whether to release or detain a defendant before trial. PSA uses neutral reliable data to produce three risk scores: Likelihood of committing new crime, likelihood of failing to return for future court hearing, and likelihood of future violent criminal activity.

When the assessment is completed scores fall on a scale of 1-6, with higher scores indicating a greater risk level.

- The scale scores are then converted into recommendations for each defendant that a judge may choose to follow (or not)

This objective information is provided to the Judges to help them gauge the risk of pretrial failure and is not a replacement for Judicial discretion. This should be used in conjunction with their knowledge and judicial experience.

How was the PSA Developed?

It was developed/created by the Laura and John Arnold Foundation (LJAF) using the largest, most diverse set of pretrial records- **1.5 million cases across 300 Jurisdictions.**

Researchers analyzed the data to determine which factors are the most predictive of new criminal activity, new violent criminal activity, and failure to appear.

The PSA Algorithm was broken down into 9 factors



PSA- 9 Algorithm Factors

Whether the current offense is violent

Whether the person had a pending charge at the time of the current offense

Whether the person had a prior misdemeanor conviction

Whether the person has a prior felony conviction

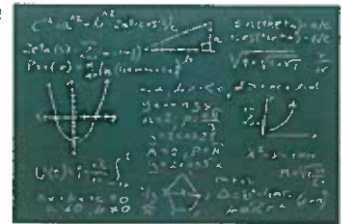
Whether the person has prior convictions for violent crimes

The person's age at time of arrest

How many times the person failed to appear at a pretrial hearing in the last two years

Whether the person failed to appear at a pretrial hearing more than two years ago

Whether the person has previously been sentenced to incarceration

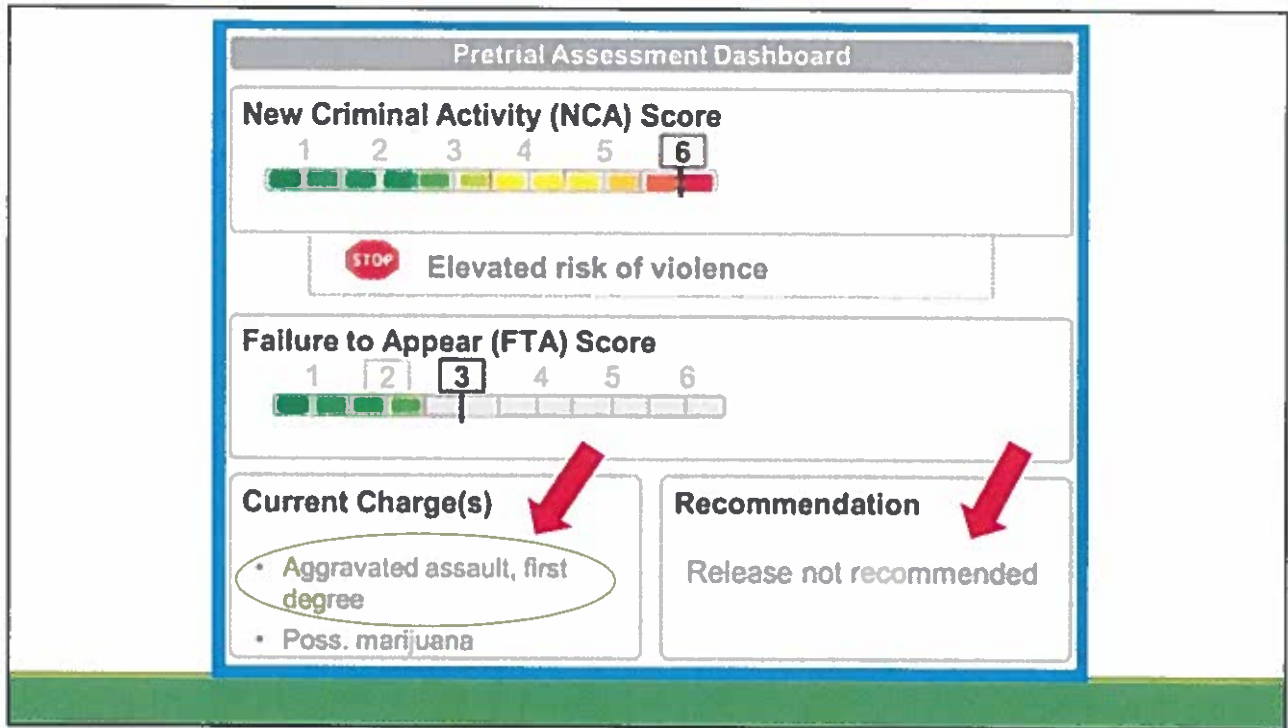


PSA- Breakdown of Factors

Failure to Appear- Pending Charge at the time of offense, Prior Conviction, Prior failure to appear pretrial in past 2 years, Prior failure to appear pretrial older than 2 years

New Criminal Activity- Age of current arrest, Pending charge at the time of the offense, Prior misdemeanor conviction, Prior felony conviction, Prior failure to appear pretrial in past 2 years, Prior incarceration

New Violent Criminal Activity- Current violent offense, Current violent offense and 20 year old or younger, Pending charge at the time of offense, Prior conviction, prior violent conviction



	NCA 1	NCA 2	NCA 3	NCA 4	NCA 5	NCA 6
FTA 1	Level 1 & ROR	Level 1 & ROR				
FTA 2	Level 1 & ROR	Level 1 & ROR	Level 2 & ROR	Level 3 & ROR	Level 4 & ROR	
FTA 3		Level 2 & ROR	Level 2 & ROR	Level 3 & ROR	Level 4 & ROR	Level 5 & Financial
FTA 4		Level 2 & ROR	Level 3 & ROR	Level 4 & ROR	Misd. Level 5 & ROR	Level 5 & Financial
FTA 5		Level 3 & ROR	Level 3 & ROR	Misd. Level 4 & ROR Fel. Level 5 & ROR	Level 5 & Financial	Level 5 & Financial
FTA 6				Level 5 & Financial	Level 5 & Financial	Level 5 & Financial

	Level 1	Level 2	Level 3 (Standard)	Level 4 (Enhanced)	Level 5 (Intensive)	Level 5 (Extensive)
Bail	ROR	ROR	ROR	ROR	ROR	Cash
TOT	No	No	Yes	Yes	Yes	Yes
Face to Face Contact	No	No	1x/month	Every other week	Weekly	Weekly
Alternative Contact	No	1x/month	1x/month	Every other week	No	No
Supervised Conditions	No	No	As authorized	As authorized	As authorized	As authorized
Court Date Reminder	No	Yes	Yes	Yes	Yes	Yes
Criminal History/CMS	No	Yes	Yes	Yes	Yes	Yes

Brown County Circuit Court Judges

Brown County Circuit Court Judges voted to let this proceed

- Currently 4 Circuit Court Judges oversee the (5) Treatment Courts
- Presiding Judge in Brown County oversees the Criminal Justice Coordinating Board



Constitutional Officers that can't be bound by a certain tool

- PSA will help provide additional information but the Court holds the final decision
- This is similar to the Pre-Sentence Investigation (PSI) when individuals are being sentenced

Judges/Court Commissioners determine who is sent to Criminal Justice Services along with the conditions as determined by the Courts

System Examples & Successes

Outagamie County Criminal Justice Transitional Services (CJTS)

PRIOR TO THE DEVELOPMENT OF CJTS

Day Report Center (Family Services)

- 2.75 Staff
- Levy Impact: \$217,000
- Annual Pretrial Defendant Capacity: 150

POST IMPLEMENTATION OF CJTS

Pretrial Services (Outagamie County)

- 3 Staff
- Levy Impact: \$210,000
- Annual Pretrial Defendant Capacity: 400

INFORMATION PROVIDED BY: BERNIE VETRONE, DIRECTOR OF CRIMINAL JUSTICE TREATMENT SERVICES

Outagamie County Criminal Justice Transitional Services (CJTS)

Breakdown of risk levels

- High Risk: 52%
- Moderate Risk: 29%
- Low Risk: 19%



2017 Results

- 90.7% Attended all court appearances
 - 2016 had a 75% Attendance Rate
- 88.4% Not charged with a new criminal offense

Information provided by: Bernie Vetrone, Director of Criminal Justice Treatment Services

Counties/States using Robust Pretrial Services Programs

La Crosse County Pretrial Services State of New Jersey

Waukesha County Pretrial Services State of Kentucky

Milwaukee County Pretrial Services

Results across the Counties	
FTA	NCA
87.5%	94.5%

2- year study in Kentucky using PSA			
Number Served	FTA	NCA	NVCA
164,597	85.2%	89.4%	98.9%

INFORMATION PROVIDED BY: FRANKIE BISH (MANAGER OF JUSTICE SUPPORT SERVICES), DANIELA FARG (COURTS AND COMMUNITY ALTERNATIVES DIVISION), SUE SAHNER (JUSTICE FRONT END), JANE OZJIMSKY (COURTS, DEMICHELI, BALKENHARTER, WENZEL, BARREK, COMFORTY, & MORIA (2017)

Criminal Justice Services

Benefits of the Criminal Justice Services Division

Use of an Evidence Based Assessment Tool (PSA)

Ability to have access to National Criminal Background Checks (FBI)database

Utilization of external providers

- Experts in their respective areas (AODA, Domestic Violence, Softs Skills, etc.)
- Allows for individualized treatments and to be treated at their specific level of needs
- Increases the individuals overall chance of success
- CJS would be responsible in managing information to ensure compliance and follow through

Benefits of the Criminal Justice Services Division

Build on current Treatment Court relationships with Criminal Justice Stakeholders

- Expand collaboration with key stakeholders (DA's Office, Public Defenders, Judges, Jail, Law Enforcement, External Service Providers, and Clerk of Courts)
- Support from Key Stakeholders

Utilization of Pretrial Service Software

- Allows for the tracking/monitoring of data related to Pretrial Services
 - Tracks Compliance Rates (Court Appearances, Criminal Activity, Attendance, Follow Through, etc.)
- Tracking of Court Dates, Drug Tests, and scheduled meetings
- Notifications about upcoming appointments (Court Appearances, Drug Testing, Scheduled Meetings)
- Allows for communication with participants via text

Allows for full implementation of proposal as outlined by the Criminal Justice Coordinating Board

- Within currently available funds