

**Rock County**  
**Evidence-Based Decision Making Ad Hoc Committee**  
**Wednesday, July 29, 2015 minutes**  
**Conference Room N-1/N-2**

- 1) Call to Order. Chair Nelson called the meeting to order at 10:38 AM.
- 2) Committee Members Present. Commander Erik Chellevold, Judge James Daley, Judge William Henderson, Charmian Klyve, Vice Chair Sandra Kraft, Stephen Meyer, Angela Moore, Chief David Moore, Chair Eric Nelson, David O'Leary, Josh Smith, Sheriff Robert Spoden, and then Judge Alan Bates at 10:47 A.M.
- 3) Committee Members Absent. Larry Barton, Troy Enger, Chief Norman Jacobs, Elizabeth Krueger, and Judge Richard Werner.
- 4) Staff Members Present. Elizabeth Pohlman McQuillen, Criminal Justice System Planner/Analyst; Tracey VanZandt, HR Secretary; Gina Ciaramita, Deferred Prosecution Director; and Phil Boutwell, HSD Deputy Director.
- 5) Others Present. Tommy Gubbin, EBDM State Coordinator; Dorothy Harrell, NAACP, Captain Dan Molland, Beloit Police Dept; Jim Neitzel, DOC; and Mr. Jeff Altenburg, Facilitator, Milwaukee County DA.
- 6) Approval of Agenda. Ms. Klyve moved approval of the agenda, second by Mr. Meyer. ADOPTED.
- 7) Approval of Minutes from May 20, 2015. Judge Daley moved approval of the minutes of May 20, 2015 as presented, second by Ms. Klyve. ADOPTED.
- 8) Conduct System Mapping. Ms. Pohlman McQuillen handed out list of Rachele's questions from the first system mapping session. Also current flow chart was disbursed. Team reviewed what was presented from the first mapping session.

Questions:

Chief Moore about 1g. Is this being done?

Should 1f. (Case not Pursued) and 1g. (Refer to Community Resource) be moved back to 1d. (Law Enforcement Response and Investigation)?

It was agreed that these should be moved along with title of 1e. To be changed to "Probable Cause to Arrest" remove words "Determine if".

Judge Daley stated at the present time Deferred Prosecution is after arrest. It was agreed that 1o. should be changed to "Municipal Court/Circuit Court" to accurately reflect our county representation.

Mr. O'Leary states that their first priority in their office is in custody and then order ins. Mr. O'Leary says there is a step missing. We should a box for "Review Investigative reports/Issue Warrant and Complaint". This should arrow back to Jail booking once individual is picked up. This should be added after 2f. (Decision to Prosecute).

Jail Booking /Transport to Mental Health should arrow back to Jail Booking. Jail and Crisis work together and determine if someone needs to be transported to Mental Health. Once individual cleared they come back to Jail Booking.

Group agreed that 1h. (Transport ERT) and 1j. (Detox/Medical/Mental Health) should have a dotted arrow back up to the main flow line proceeding to 1k. (Order Ins)

Mr. O'Leary states that 2h. encompasses both in custodies and order in's. Therefore wording should be changed to "Review Reports/Issue Complaint"

Has everyone that is making their initial court appearance had an indigence hearing? No. Judge Daley states that if the individual is a frequent flyer then they have already been referred to the Public Defender. For individuals that are not in custody, they are advised by the Court Commissioner at their initial appearance.

Mr. O'Leary asked if at time of booking, can indigence paperwork be provided.

Initial appearance is always done by Court Commissioner but can be preserved to the Judge. What it taken into custody after initial appearance? Judge Daley states this could be another warrant by another county.

Discussion was had about the "book and release" box. Judge Daley states that this would be just a continuing initial appearance. This stems from something lost in the system. Mr. O'Leary states this happens often. Individual comes to court but we have no record of it. They are directed to contact DA's office to get rescheduled. It was agreed that there will be a dotted line drawn from the "Initial appearance" box back to "Decision to Prosecute". "Book and Release" will be deleted.

"Released without bond" is this ever done? NO. It is an option though. Will keep in mapping flow for now.

"Released on cash bond with conditions" should be changed to "released on posted cash bond with conditions".

“Signature Bond with conditions” Mr. Meyer states that all signature bonds have conditions.

Mr. O’Leary states that all files are reviewed for eligibility for Deferred Prosecution and Domestic Violence programs. They are currently reviewing the eligibility criteria. Who should be going through these programs and what is the risk factor. Ms. Ciaramita stated that currently individuals must have no prior criminal history for Deferred Prosecution. Domestic Violence-They look at the circumstances surrounding the case. Judge Daley states this decision can be made at any point in the process but the earlier the better.

At this point, OWI court assessment is made. Add new box for “Treatment Court Eligibility” Arrow should go both ways. If successfully completed they go back, failure leads directly to sentencing box.

At what point is assessment being done? Time of charging? Who will do it?

Mr. Meyer states that there are times when an individual waives their preliminary. Add “Waiver” box before “Preliminary Hearing”, Add “Ordinances” to “Misdemeanor” box to read “Ordinances/Misdemeanor” There should also be a line from “Misdemeanor” to “referral to specialty court” box. From “Not Guilty” line straight to “calendar call/arraignment” to “set PGP date or trial date” and then “motion hearing or final pretrial” There has to be a “guilty” box added as well. From “guilty” a line to “sentencing”.

Add box of “not bound over” from “Felony Preliminary hearing”

Need to add another plea box of “NGI”

\*\*\*We need to map the mental health options\*\*

From the “guilty or no contest plea” box, add box for “PGP date and or PGP sentencing”

Mr. O’Leary asked Mr. Altenburg if they reflect the victim standpoint in their mapping. He said that since this is statutory that Milwaukee County does not.

PSI Felony is up to Judge. Mostly OWI and sexual assault.

Need to add box of “Drug and Veteran Court” below map with lines from guilty pleas to “Drug and Veteran court” and then line to “Sentencing”.

## Sentencing

Change “Probation” to “Probation/OWI Court” as everyone in OWI Court is on Probation. Delete “Specialty Court” box as this is duplication.

On “probation” path, do we have proper wording for risks? There is an enhanced risk level as well. If individual not in custody, then they are required to report to probation by 4:00 that day. Probation agent assigned the day the offender shows up. Risk needs assessment completed within 30 days. Case plan comes after the assessment. Case plan includes conditions of probation and referral to treatment.

It was asked if Mr. Neitzel could get the probation timeline to Ms. Pohlman McQuillen so she can distribute.

### Community Supervision

Delete “referral to treatment program”

From “early discharge review” needs to be arrow that goes back to “sentencing” unless authority is previously ordered.

“Conditions of probation” believed to be compliance. No need for this box as this is included in the case plan.

Needs to be an arrow from “new Crime violation” to “determine violation severity”. Decision needs to be made. Detain or not to Detain.

It was agreed that “offender accepts sanction” be changed to “continues supervision” and “offender rejects sanction” be changed to “gets revoked”.

Arrow should be drawn from “continues supervision” back to “community supervision” and delete “sanction accepted” and “hearing requested”.

To do:

Review the prison track.

Gather list of Crime prevention efforts.

Map mental health track.

Map where date is available.

### 9) Citizen Participation and Announcements. None.

10) Future Meeting Date: Wednesday, August 5, 2015 9:15 A.M. - 12:15 P.M., Conference Room N1/N2, Fifth Floor Courthouse East

11) Adjournment. Judge Bates moved adjournment at 1:16 P.M., second by Ms. Kraft.  
ADOPTED.

Respectfully Submitted,

Tracey VanZandt

HR Secretary

**NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.**