

Rock County
Evidence-Based Decision Making Ad Hoc Committee
Thursday, March 9, 2017 minutes
Conference Rooms N-1/N-2

- 1) Call to Order. Chair Nelson called the meeting to order at 12:05 P.M.
- 2) Committee Members Present. Chair Eric Nelson, Chief David Moore, Kate Luster, Troy Enger, Josh Smith, Judge Alan Bates, Judge Michael Haakenson, Stephen Meyer, Chief David Zibolski and David O'Leary.
- 3) Committee Members Absent. Judge Daniel Dillon, Judge James Daley, Commander Erik Chellevoid, Dorothy Harrell, Angela Moore, Vice Chair Sandra Kraft, Jacki Gackstatter, Sheriff Robert Spoden and Judge Brooke Joos.
- 4) Staff Members Present. Elizabeth Pohlman McQuillen, Criminal Justice System Planner/Analyst; Tracey VanZandt, HR Secretary; Gina Koehl, Deferred Prosecution Director and Dara Mosley, Public Safety Systems Manager.
- 5) Others Present. Mimi Carter, CEPP Technical Assistance Advisor.
- 6) Approval of Agenda. Mr. Meyer moved approval of the agenda, second by Judge Bates. ADOPTED.
- 7) Approval of Minutes of February 9, 2017. Chief Zibolski moved approval of the minutes of February 9, 2017, second by Ms. Luster. ADOPTED.
- 8) Report on How Policy Team Members are advancing EBDM in their Agencies. Mr. Smith said he received positive feedback after the EBDM presentation to the County Board on Feb. 23rd. Mr. O'Leary said he did a State Bar presentation recently in which he incorporated EBDM. They would like to assist in EBDM efforts. Chief Moore said JPD recently held their annual awards ceremony. One of the award winners is an EBDM workgroup member and he mentioned EBDM in his acceptance speech. The National Institute of Justice picked up on the awards news and inquired about EBDM efforts. Chief Zibolski said he recently educated the local newspaper on pretrial. He had a presentation to supervisors and Sergeant training. As the mental health flagging pilot progresses with JPD, there will be more discussion in his department as some Beloit Police Department officers are on this workgroup. Mr. Enger said DOC is doing Ten Steps to Risk Reduction and they have one more training coming up in Region One. This is a statewide initiative. Once this is implemented, there will be more work involved. To allow for this implementation, they have been looking at ways for work reduction.

They are looking to revise their home visit policy. They have also done some outreach with the Green County DA, public defenders and judges.

9) EBDM Workgroup Updates.

Community Education/Outreach- Chief Moore said the workgroup met and they reviewed the slides that were used in the County Board presentation. From this discussion, they decided they would like to create some short video clips that will be added to the outreach library. Ms. Pohlman McQuillen will be the library keeper. Ms. Carter is working on a TED-like talk with a Milwaukee County judge who has volunteered his time. Chief Moore provided a handout assignment. They would like each member of the policy team to create one impact statement to be returned at the April meeting. These impact statements will help offer meaning to EBDM. Chief Zibolski has arranged with Beloit College to video each discipline presenting their impact statements. We would like to have this information available when the change targets are implemented so the rollout and education piece are timed together. They would like the other workgroups to give an idea of the timing of the rollouts. The policy team watched a video of a news clip that the local Madison news did. They interviewed Chief Moore and Kate Luster about the mental health flagging pilot that is currently being conducted through JPD.

Pretrial and Risk Assessment- Judge Bates said the workgroup met yesterday. They continue reviewing the system map. They made a revised system map with a pretrial path and longer term criminogenic path. Ms. Pohlman McQuillen displayed the revised map. Judge Bates reviewed the revised map with the policy team. The plan is to have the risk assessment done before the initial appearance. The second item they worked on is the outreach communications worksheet. They received the WI EBDM initiative pretrial protocol from the state committee. Congratulations to the state on this accomplishment. They started reviewing this document. They will continue reviewing this at their next meeting.

Ms. Pohlman McQuillen said there will be a conference call with local coordinators next week to collaborate moving forward with the pretrial pilot and she will have more information at next month's meeting. Ms. Carter and Ms. Pohlman McQuillen went to the jail today and assessed the pretrial situation. It looks as though they have room to accommodate this. They are hoping to start this within the next few months. Ms. Carter wanted to thank the Sheriff's Office for their willingness to add the pretrial screening and the LSI-R: SV screening to their booking process (at minimum through the pilot process). The assessment is approximately thirty minutes on the front end and some additional time at the back end. Individuals will have to be trained on the MCPRAI and LSI-R: SV before the pilot can begin. They still have to decide how training will occur. The pilot program would only be data collection. No reports will be generated during the pilot.

At what point in time will someone need to know about EBDM and who will need to be educated? Judge Bates said since they want to start the pilot in June. They would need to notify/train individuals in May. Persons involved would be Sheriff's Office, Court Commissioners, Baliffs, Clerks, District Attorney's Office, Public Defender's Office, assessment center workers. Ms. Gackstatter will obtain intake court numbers for the workgroup.

Ms. Carter asked if a consent form is needed during the pilot program. Mr. O'Leary said Milwaukee County has had no issues but there is a pro se form that can be given to the defendant. The state has developed a consent form and a memorandum of understanding that they are recommending be used.

Chief Zibolski asked if municipal court information will be needed for the pilot program. Ms. Carter checked the guidelines of the MCPRAI and it will not count municipal court data. Ms. Carter explained the MCPRAI. It has been validated in Milwaukee, Wisconsin. It is free and has a scoring guide. Milwaukee County is willing to provide training as well.

Behavioral Health Information Sharing- Ms. Luster said they met yesterday and had their first update from JPD about how the pilot is going. They have agreed on the title of "Mental Health Awareness Flag". JPD Officer Clements reported that 41 individuals have been flagged and they have tentatively identified 137 calls that have a mental health component since beginning in January. Some clients have signed a consent for Human Services to share information which provides additional crisis plan resources for JPD. JPD will continue to pilot for the next month or two. At the end of the pilot, they will bring back a draft procedure so it can be shared with other law enforcement agencies. They are working on finalizing the Crisis Strategy Information Worksheet (CSI) so they can get that uploaded into Spillman. Ms. Luster is creating a fact sheet on the Mental Health Sharing Initiative explaining all concerns with an end result of improving outcomes. They discussed a potential need for a memorandum of understanding (MOU) to explain how HSD and law enforcement will share information. The policy team had a significant discussion on the sharing of information/HIPPA/consent form. Chief Moore said the pilot is moving along nicely. He said 911 can see the flag and will notify the responding officer of the flag. It was noted that 911 cannot see the attachments to the flag only the note that the flag is in place. Another important note is that there is a CIT supervisory override before a flag gets entered. A MOU will list all intersection points. All officers with access to Spillman can see the flag.

Risk Interventions- Ms. Koehl reported the workgroup met yesterday. They are reviewing their system map and where pre-charge diversion will be inserted. Risk assessments are voluntary but advantageous to the individual. They are figuring out the intake process. They are using the Milwaukee County exclusion list the team previously agreed to. Ms. Carter suggested individuals going into the pre-charge program have counsel (either private or public defender) or sign a waiver of understanding. They watched two

educational video examples, one from Dunn County and the other from Eau Claire County. The workgroup didn't like either video. They are suggesting a live facilitator with a CBT and handouts. They also decided to use a pre-test and post-test. Other counties keep their cases open for six months. Our workgroup is suggesting a shorter timeframe. If restitution is involved, Victim-Witness will need about a three week timeframe for their piece. Pre-charge diversion will be a one-time opportunity. Enhanced Deferred prosecution will serve low to medium risk and this will open this program to a lot of individuals who may need special services (i.e. AODA, parenting skills). We will need referral services available. They are hoping to have a better idea of the number of people enhanced Deferred prosecution would serve after the risk assessment pilot program is completed. At this point, the idea is overwhelming of how to make this happen (funding, staffing). Ms. Carter suggested to concentrate on pre-charge diversion first. They worked on the outreach communications worksheet as well.

Ms. Koehl said they discussed creating a brochure for law enforcement to handout at the point of citation that would direct individuals to the assessment center.

At what point in time will someone need to know about EBDM and who will need to be educated? Once pilot numbers are determined then they will move forward with pre-charge diversion. Persons involved would be State Public Defender's office, District Attorney's office, Clerk of Courts, Sheriff's Office, Janesville Police Department and private counsel.

- 10) **Policy Team Discussion regarding Phase VI of EBDM Initiative.** Ms. Pohlman McQuillen said the NIC executive team will be meeting and they would like one or two accomplishments from our policy team to share at their meeting. Mr. O'Leary suggested submitting the Mental Health flagging news video that we watched today. This is a huge accomplishment. Judge Bates suggested a flier from our kickoff event with a statement of the event. The policy team agreed on these suggestions.

The agenda is still in development for the National Diversion training. There are 30 funded slots and 50 people have applied. They are working through the details.

- 11) **Update on State EBDM.** Mr. O'Leary said they met on February 23rd. One major accomplishment from this meeting was completing the Pretrial Justice Protocol packet that has been disbursed to locals. They discussed the concept of a TED talk. They have four senators that have been attending their meetings. They asked the senators for advice on what would be the best way to do a legislature kickoff, possibly tie it into a joint meeting. They are still working on a statewide assessment tool in order to not hold up further progress. They are working on other prototype pilot projects. They continue to work on twelve different position papers and several model policies.

- 12) **Citizen Participation and Announcements.** None.

13) Future Meeting Date: Our April meeting was scheduled for April 13th but this date does not work for a lot of policy team members due to the following holiday. After some discussion, the team decided to hold our April meeting on Tuesday, April 18, 2017, Noon, Conference Rooms N1-N2, 5th Floor Courthouse East

14) Adjournment. Mr. O'Leary moved adjournment at 2:08 P.M., second by Mr. Enger.
ADJOURNED.

Respectfully Submitted,

Tracey VanZandt

HR Secretary

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.