

**CRIMINAL JUSTICE COORDINATING COUNCIL
CRIMINAL JUSTICE SYSTEM PROCESS AND OPPORTUNITIES SUBCOMMITTEE**

July 22, 2010

Call to Order: Chair Deupree called the meeting to order at 12:11 p.m. in Conference Room 519 on the fifth floor of the Rock County Courthouse-West.

Committee Members Present: Chair Neil Deupree, Kelly Mattingly (alt. for Eric Nelson), Judge James Daley, Tom Gubbin (alt. for Art Thurmer), Charmian Klyve, Bob Fizzell (alt. for Regina Dunkin), Supervisor Sandra Kraft.

Others Present: Elizabeth Pohlman McQuillen, Criminal Justice System Planner/Analyst, Julie Lenzendorf & Angel Eggers, Rock Valley Community Programs, Inc., Captain Jude Mauer, Sheriff's Office.

Approval of the Agenda: Mr. Fizzell moved approval of the agenda as presented, second by Ms. Klyve. ADOPTED.

Approval of the Minutes from 7/2/2010: Mr. Fizzell moved approval of the minutes, second by Mr. Gubbin. ADOPTED.

Discussion Regarding New OWI Legislation and Possible Recommendation for OWI Program in Rock County: Chair Deupree asked everyone to introduce themselves.

Chair Deupree directed everyone to look at the Program Effectiveness handout, which details the outcomes of programs currently in operation in various Wisconsin counties. Ms. Pohlman McQuillen went over the handout and discussed each of the programs. Chair Deupree went over the positives for each program and asked if we could wait at least a year out to start a program. Judge Daley said a recommendation would have to go through the budget process now for funding in 2011. Judge Daley suggested we look at whom we want as the target population in deciding what option to choose. Mr. Gubbin suggested we look to serve OWI 2nd and 3rd offenders. Judge Daley agreed with that.

Ms. Klyve said it is a good idea to intervene early. Mr. Mattingly asked what the incentive to the defendant would be. Judge Daley said that the new sentencing guidelines for 2nd, 3rd, and 4th OWI would set mandatory minimums. He continued that there would be the ability to use treatment instead of jail as the incentive. Mr. Mattingly said that he learned at the NADCP national conference that higher risk cases have a bigger pay off, but also a bigger potential for failure. Chair Deupree added that the drug court has moved in that direction and there hasn't been a huge increase in failures for the drug court.

Judge Daley said he sees independent contractors providing the treatment services for an OWI program. He also said that the group should decide on a target population and run a pilot program. Chair Deupree asked the group if there was consensus on focusing on 2nd and 3rd OWI offenders. The group agreed.

Judge Daley said he would send a copy of the new district guidelines to the group once they were completed. He also said that it is possible to stay the aging of a case if the person is in a treatment program/court. He would like to see a program that melds a pre-trial program and an OWI Court.

Ms. Klyve said that TAP funding could possibly be used because the individual would be facing an incarceration. She said Rock County receives approximately \$300,000 a year in TAP funds. She suggested that any OWI program should coordinate with TAP and other AODA funding.

Captain Mauer said that under the new guidelines a 1st OWI would become a criminal offense if there were a child under 16 in the vehicle and asked if that could also be worked into a potential program. Judge Daley said that with the new laws there might be a spike in the jail population again. Judge Daley also said that with the new IID provisions, there could probably be increased jail time and he is interested to see how that shakes out.

Chair Deupree asked which way the group wanted to go with this. Mr. Gubbin asked if current IDP treatment resources could be used if capacity isn't exceeded. Ms. Klyve thought there could be capacity in that program. Mr. Gubbin said he would look into how much money is allocated to DOC for OWI treatment and Ms. Klyve said she would look into how to possibly use TAP funding for an OWI program. Judge Daley said we should start a program then add an OWI court onto it.

Chair Deupree said that he, Mr. Wopat, and Ms. Pohlman McQuillen would work on a proposal to bring back to the group and show the District Attorney, who was unable to attend this meeting. He added that the group should meet again in approximately 3 weeks so the group could make a funding request as part of the budget process.

Announcements: None.

Time and Date for Future Meetings: The next meeting is scheduled for Friday, August 6, at Noon in this room.

Adjournment. The meeting was adjourned at 1:00 P.M.

Respectfully submitted,

Elizabeth Pohlman McQuillen
Criminal Justice System Planner/Analyst

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