

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

August 6, 2010

Call to Order: Chair Deupree called the meeting to order at 12:03 p.m. in Conference Room 519 on the fifth floor of the Rock County Courthouse-West.

Committee Members Present: Chair Neil Deupree, Eric Nelson, Judge James Daley, Tom Gubbin (alt. for Art Thurmer), Charmian Klyve, Bob Fizzell (alt. for Regina Dunkin), Supervisor Sandra Kraft, Captain Russ Steeber (alt. for Sheriff Spoden), David O'Leary, Marv Wopat

Others Present: Craig Knutson, Rock County Administrator, Elizabeth Pohlman McQuillen, Criminal Justice System Planner/Analyst, Julie Lenzendorf, Rock Valley Community Programs, Inc., Vicki Trebien, ATTIC Correctional Services, Inc., Kate Flanagan, Rock County Human Services Division Manager

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

Approval of the Minutes from 7/22/2010: Ms. Klyve 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 said that the goal of the meeting was to recommend something for the County to enact to deal with the consequences of the new OWI legislation that became effective July 1st, 2010. He said that he was going to go around the room to ask for people's impressions.

Mr. O'Leary said he preferred to follow the model of the drug court. The drug court seems to be working and is the easiest and most successful route. He added that the DA's office already has a pre-adjudication program that has worked well. Mr. O'Leary said the current drug court treatment provider could expand by adding a counselor. He added that the group would need to make a determination as to the target population and suggested the group start thinking about using 3rd time offenders.

Judge Daley said he had no preference as to which program the County should pursue. He also said that the County could use multiple models at the same time and we could add to the drug court. Ms. Klyve added that she liked the idea of an IDIP model so that the individual would get into treatment right away. Captain Steeber said that he likes the idea of an OWI court but also sees a pre-adjudication program as a good model, using both to address the problem at different points.

Mr. Nelson commented that the success rate for IDIP does not appear to be all that great. Ms. Pohlman McQuillen explained that after talking with some counties with IDIPs, the state's data as a whole may not give an accurate picture of success, but instead the group should look at the individual county data for a better predictor of success. She pointed out Marathon County's 90% success rate. Mr. Nelson said getting people into treatment right away is the best thing to do. He added that he likes the OWI court model and agreed that a couple programs could be used simultaneously to address the OWI issue. He also said the incentives need to be set up right so people have a reason to participate in the program.

Mr. Nelson asked if OWI offenders are on the electronic monitoring bracelet. Captain Steeber responded that anyone who qualifies for the bracelet is put out on one. He said that if it is below a 5th OWI, most likely an individual will qualify for it. He added that if criteria are met, the individual is put on the bracelet with the alcohol sensor.

Judge Daley said the District Guidelines for sentencing OWIs would be available in approximately two weeks. He went on to describe the chart and range of sentences.

Mr. Gubbin said he liked using a couple different models to address OWIs. He also said whatever model is used should correspond with the IDP program for those that want to get their license back.

Mr. Knutson said he would have a better feeling in about 6-8 weeks as to where the County budget stood and whether he could come up with money for a program. He said one approach he could use is to put a placeholder in the budget to allow the group to design a program for the future and that nothing had to be decided today.

Chair Deupree said that he understood the direction of the conversation headed toward a blended model. He went on to say there are a lot of positives to getting people into treatment right away and since we have the drug court program working it would be easy to add onto that. He added that we do not know how much it will cost until we flesh out some more details.

Judge Daley suggested we do a test program and set up some policies and procedures. He added that insurance may help defray the cost of a program. Mr. O'Leary said he likes a model using in-house treatment, like drug court, so there is consistency and you know what you are getting. Mr. Gubbin said the program should meet the requirements of the IDP program.

Mr. Knutson asked about the money DOC was getting for treatment under the new OWI legislation. Judge Daley responded that there are no new positions, but \$6.5 million dollars was allocated by the state for treatment. Mr. Wopat asked how the County could access some of the money. Mr. Gubbin said that in two weeks he should know more about the money allocation but his understanding was that if the individual is not on probation/parole, they could not use the money.

Chair Deupree asked the group what they thought about the Judge's idea of starting a pilot program? Mr. O'Leary said it could be like the drug court—start with two counselors and limit the number of people and go from there. He added that the target population needs an incentive and suggested looking at those with 3rd or 4th offense OWIs. Judge Daley said the program should be tailored even more closely using BAC levels. Mr. Nelson said with lower offenses there was not enough leverage to get people into a program. The group agreed that the program should be set up to deal with upper level 3rd offense OWIs and 4th offense OWIs to start.

Ms. Pohlman McQuillen reminded the group about the national training opportunity if Rock County were to head toward an OWI Court and that the deadline for the application is the end of August. Chair Deupree asked for a motion to apply for the training, which was made by Captain Steeber and seconded by Judge Daley. The motion was adopted and Ms. Pohlman McQuillen was directed to make sure the application was submitted. Judge Daley asked if it would be an adjunct to the current drug court and whether the same players would be involved. Ms. Klyve said the OWI Court should hook up with IDP and perhaps some of the tax dollars already spent in that program could be used, including the TAP dollars. Ms. Klyve, Mr. O'Leary, Captain Steeber, and Chair Deupree offered to assist in participating on a working group to prepare for an OWI Court.

Announcements: None.

Time and Date for Future Meetings: The next meeting will be scheduled when deemed necessary in the future. Ms. Pohlman McQuillen will contact everyone to arrange another meeting time.

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

Respectfully submitted,

Elizabeth Pohlman McQuillen
Criminal Justice System Planner/Analyst

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.