

MINUTES
Justice Coalition Executive Committee
March 28, 2024

Members Present: Judge Patricia Baker, Judge Michael Zell, Public Defender Anne Renc, County Executive John Pavelski, District Attorney Cass Cousins, County Board Chair Al Haga, Clerk of Courts Lisa Roth

Members Unavailable: Judge Louis Molepske, Jr., Corporation Counsel David Hickethier

Staff Present: Andrea Starr, Justice Programs Department, Chris Schultz, Purchasing Department

Chair Baker called the meeting to order at 8:01 am in Branch III Jury Room in the Portage County Courthouse.

1. Approve Minutes of December 12, 2023 Meeting

Members approved the December 12, 2023 minutes by consensus.

2. Review of Justice Programs Statistics from the Previous Quarter

Starr discussed and highlighted data that was provided in the agenda packet.

Judge Zell indicated that Day Report staff is not assessing individuals when they are referred to the program. Cass Cousins stated that that is what is ordered, and Starr also stated that is what should be happening.

3. Discussion Regarding Changes to Day Report, Pretrial Supervision, and Post-Trial Supervision Program.

Judge Baker indicated that during the RFP process, JusticePoint asked that drug/alcohol testing be reduced due to research indicating that drug/alcohol testing has no bearing on whether someone will appear for Court or if they will commit a new crime while on bond. JusticePoint is unwilling to sign a contract until drug/alcohol testing changes are made. The Judges, Anne Renc, and Cass Cousins were provided with a short explanation by JusticePoint on why they are recommending the changes.

Judge Zell stated that he has a hard time believing that drug/alcohol testing has no influence on if someone will appear for Court or will commit a new crime while out on bond. Sheriff Lukas stated that it is difficult to justify paying JusticePoint at the current cost if they are going to be doing less drug/alcohol testing. Additionally, he stated that more people in the public are unhappy that people are released on bond and are not receiving any consequences when they violate their bond. Sheriff Lukas is not in favor of a change to the drug testing matrix.

Judge Baker shared an example of where an individual was to be tested while on bond, but due to the individual's attorney asking for a change in the testing schedule, JusticePoint reduced the testing without a bond modification. Judge Baker had to inform JusticePoint that this individual needed to continue testing which is currently happening.

Judge Zell indicated that it makes sense to change the low-risk individuals testing frequency; however, the proposed reduction for the serious risk individuals is not an acceptable amount of testing. JusticePoint stated in their reasoning behind the reduction in testing is because they want to reduce costs; however, what is the research saying about the reduced testing.

Cousins agrees that JusticePoint needs to provide more of an explanation for the reason behind the change because they "lead off" by saying this is for cost savings. Cousins stated that some of the proposals of the reduced testing for low level individuals makes sense; however, he does not agree to the reduced testing for the higher risk individuals.

Renc stated that the group should remember that pretrial individuals are innocent until proven guilty and if individuals with alcohol and drug addiction are testing more frequently, they are being set up for failure. Renc would like to have more information from JusticePoint before she would be in favor of any changes.

The Committee agreed that the current testing matrix should remain as is until a meeting can be scheduled with JusticePoint. JusticePoint should also provide a summary of their changes, the reasoning behind the changes, and citations that support their changes.

4. Addition of Health and Human Services to the Justice Coalition Executive Committee

The Committee agreed that it is not necessary for Health and Human Services to be added to the Committee.

5. Judges

Judges have been meeting monthly addressing the following topics:

- a. Local Court Rules: Judge Zell has put together a committee to review the local court rules which needs to occur every 4 years. The Committee is going to follow the Eau Claire County model which is more comprehensive than other counties. The Committee has started with the general rule section, and they are now moving through civil, family and then criminal. The Committee is getting input from everyone in the Courthouse, the Civil Bar, and Family Bar.

The local court rules are posted on the WisBar web page and on the Clerk of Court website.

- b. McNeely Warrants: Judge Zell is working with the hospitals on where they will put the Portage County printers so the Judges can sign the warrants electronically. The officer is going to take a picture of the warrant and send it to the Judge. The Judge will then sign it, send it back to the officer, and the officer should be able to print the warrant, through Bluetooth, to the printer that is located in the hospital.
- c. New Pretrial Rule: The Chief Judges of the region have directed the Courts to have cases resolved in a timely manner. For example, the Courts have 180 days to have 85% of their felony cases resolved and 95% within 360 days. There is no consequence if this does not occur; however, it has been recommended by the Chief Judges. Currently, the Judges are scheduling Pretrial Hearings within 60 days and a Scheduling Conference within 120 days. If an agreement has not been reached, a trial date is set. It is hoped this will shorten the court process. This has been in place in the last quarter and all parties involved stated that cases are moving through the process quickly.
- d. Security Refresher Training: It has been agreed an annual security training will occur. Judge Molepske will be putting together an agenda for this training.

6. Discussion of Agenda items for May 16th, 2024, Justice Coalition Meeting

None.

Meeting adjourned at 8:57 am.

Respectfully submitted,
Andrea Starr
Justice Programs Director/Recording Secretary