



Dane County

Minutes - Final Unless Amended by Committee

Criminal Justice Council

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Thursday, February 24, 2022

12:15 PM

Virtual Zoom Meeting: See top of agenda for
instructions on how to join the webinar or call in by
phone.

A. Call To Order

Meeting called to order by Chair Eicher at 12:15 pm.

Advisory Members Present: John Patterson, Todd Meurer, Aaron Chapin,
Maureen McCarville(left at 12:56pm)

Advisory Members Excused: Catherine Dori, Satya Rhodes-Conway, Troy Enger,

Present 4 - KALVIN BARRETT, VALERIE BAILEY-RIHN, Supervisor ANALIESE EICHER, and
ISMAEL OZANNE

Excused 2 - CARLO ESQUEDA, and JOE PARISI

B. Consideration of Minutes

1. [2021
MIN-640](#) MINUTES OF THE JANUARY 27, 2022 CRIMINAL JUSTICE COUNCIL
MEETING

Attachments: [2021 MIN-640](#)

A motion was made by OZANNE, seconded by EICHER, that the minutes be
approved. The motion carried by a voice vote.

C. Action Items

1. MOTION TO ACCEPT RECOMMENDATION FROM THE CJC PRETRIAL SERVICES
SUBCOMMITTEE REGARDING A TECHNICAL ASSISTANCE GRANT OPPORTUNITY

*Description of grant to provide greater support in pretrial and use data to move towards a
release condition matrix. Discussion of whether the CJC should pursue this technical
assistance grant. Discussion of benefits of data-driven practices in pretrial and interest in
moving forward.*

A motion was made by BAILEY-RIHN, seconded by OZANNE, to approve
recommendation from the CJC Pretrial Services subcommittee regarding a
technical assistance grant opportunity. The motion carried unanimously.

D. Presentations

None

E. Reports to Committee

1. RESPONSES REGARDING SUSTAINABLE PRACTICE AND POLICY AFTER COVID-19 PANDEMIC

Madison Police Department: Increased usage of citations over custodial arrests, focus on dangerous traffic violations, and no response to graffiti complaints unless unusual circumstances exist. Staffing challenges are a barrier to increased innovation (memo attached to the minutes).

Dane County Police Chiefs Association: Increase in traffic stops to prevent low-level offenses. Referrals to District Attorney for diversion can remain the same as during COVID. Significant staffing challenges.

Dane County Sheriff's Office: DCSO will no longer respond to ICE upon booking people, regardless of documentation status. They have increased the medication-assisted treatment team. They are also trying to use citations instead of incarceration for non-violent misdemeanor offenses. DCSO implemented an electronic system for misdemeanor citations, making it quicker and more convenient than it was previously. The adjusted jail diversion program has led to more people on CAMP (the electronic monitoring program).

District Attorney: The DA continues to catch up on the backlog of cases from COVID. DA is reviewing cases to determine if people can be released. Some initial appearances are being completed on Zoom, but they are unsure how long that will continue as that is decided by the court commissioners and courts. There are staffing limitations in the DA's office. Victim notification under Marcy's Law leads to additional staffing requirements. The DA will try to refer more cases to the CRC, and they have not recently done as many as they would like.

Circuit Courts: Council member is a civil court judge, so defers to criminal branch to provide updates. Zoom will still be used when possible for remote hearings, although not for the completion of cases or in complex hearings. Collaboration between attorneys and judiciary to coordinate court calendar, sometimes holding 2-3 trials in one week to catch up on the backlog of cases. Ability to hold court remotely has been beneficial beyond COVID; for example, during unsafe weather conditions, the Court was able to pivot to remote hearings rather than delaying the proceedings. Brief discussion of weekend initial appearance court, and how much it would or would not expedite current practices. State statutes regarding pretrial release may complicate the timeline of current practices regardless.

Municipal Courts: Caseloads drastically decreased during COVID, and everything went virtual. Some courts are returning to pre-COVID practices, and some courts are keeping COVID policies. For presenting judge, in-person court proceedings were generally only for initial appearance. Greater reliance on electronic communications between courts and public. People can submit a plea to a ticket by email, which is encouraged and a frequent practice.

County Board: Waivers of juvenile justice fees. Support of crisis triage center, which was included in 2022 budget. Interest in providing additional support for human services providers who can assist in supporting alternatives to incarceration. Hope to move forward with community justice center initiative. Funding remains a challenge to innovation.

Excused council members will report at the next CJC meeting.

- a. [2021 PRES-244](#) RESPONSES REGARDING SUSTAINABLE PRACTICE AND POLICY AFTER COVID-19 PANDEMIC

Attachments: [2021 PRES-244](#)

- b. [2021 PRES-246](#) MADISON POLICE DEPARTMENT'S RESPONSE REGARDING SUSTAINABLE PRACTICE AND POLICY AFTER THE COVID-19 PANDEMIC

Attachments: [2021 PRES-246](#)

F. Future Meeting Items and Dates

Next meeting: March 24th at 12:15pm

Dane County representatives Chair Eicher, Colleen Clark-Bernhardt, and LIFT Dane will attend the Cities and Counties for Fine and Fee Justice Bootcamp.

- a. [2021 PRES-245](#) CITIES AND COUNTIES: FINES AND FEES BOOTCAMP

Attachments: [2021 PRES-245](#)

G. Public Comment on Items not on the Agenda

None

H. Such Other Business as Allowed by Law

None

I. Adjourn

A motion was made by OZANNE, seconded by BARRETT, that the Meeting be adjourned. The motion carried unanimously.

Meeting adjourned at 1:17 pm.

Respectfully submitted by Sarah Jensen, pending council approval