

LA CROSSE COUNTY NOTICE OF MEETING

COMMITTEE OR BOARD:	CRIMINAL JUSTICE MANAGEMENT COUNCIL	
DATE OF MEETING:	3/15/2023	
MEETING PLACE:	Law Enforcement Center Room 1722	
TIME OF MEETING:	5:00 p.m. – 6:30 p.m.	
PURPOSE OF MEETING:	Monthly Meeting	
	<u>CJMC MISSION:</u>	
	The Criminal Justice Management Council seeks a just, coordinated, and accountable criminal justice system for La Crosse County by promoting collaboration and engagement of criminal justice stakeholders and the community.	
1.	Call to Order	
2.	Approval of the February 15, 2023 minutes of the CJMC	
3.	Public Comment	
4.	Presentation: La Crosse County Racial Equity Project Report- Orleny Rojas Center for Effective Public Policy	
5.	Review of agency updates (written updates provided in packet)	
6.	Informational / Misc. items	
7.	Future agenda items	
8.	Adjourn	
NEWS MEDIA	OTHER	COMMITTEE MEMBERS
La Crosse Tribune	Brenda Strong	Tim Gruenke – chair
WIZM/WKTY	Jane Klekamp	Araysa Simpson – vice chair
WKBH & WLFN	Jenna Theler	Andrew Alvaro Rasmussen
WKBH – TV 8	Jim Verse	Chief Kudron/Captain Avrie Schott
WLSU/WHLA	Judges Bjerke, Levine, Doyle	Chief Scott Alo
WSM News	Kate Holinka	Dr. Heidi Allred
WXOW-TV 19	Keith Belzer	Dr. Suthakaran Veerasamy
WEAU	Vicky Gunderson	Dr. Troy Harcey
WPR	Mark Clements	Jason Witt
Magnum Broadcasting	Maureen Freedland	Jayne Rifenberg
COUNTY DEPARTMENTS	Mayor Mitch Reynolds	Joe Packard/Jenna Theler
County Administrator	Megan DeVore	Judge Gonzalez/ Judge Horne
County Clerk	Peter Kinziger	Dawn Wacek
Facilities	Ryan Westpfahl	Margaret Larson
Justice Support Services	Shane Collins	Michael Sersch
Corp Counsel	Tonya Van Tol	Monica Kruse
	Serena Pelozo	Sheriff John Siegal
		Tina Tryggestad
		Kristina Fore
		Vincent Loera

A quorum of the Judiciary and Law Committee may also be present at this meeting

MEMBERS: If unable to attend, call Tonya Van Tol 608-785-5815.

PUBLIC COMMENT: The Committee may receive information from the public, but the Committee reserves the right to limit the time that the public may comment and the degree to which members of the public may participate in the meeting.

PERSONS WITH DISABILITY: If you need accommodation to attend this meeting, please contact Tonya Van Tol at (608) 785-5815 or tvantol@lacrossecounty.org as soon as possible.

DATE NOTICE FAXED/MAILED/EMAILED AND POSTED: 3/9/2023

This meeting may be recorded, and any such recording is subject to disclosure under the Wisconsin Open Records Law.

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**Center for
Effective
Public Policy**

La Crosse County Racial Equity Project: Identify Intercept and Target Population Experiencing Disparity

Prepared by Orleny Rojas and Tanya Anderson

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December 2022

Introduction

In December 2021, EBDM Pretrial Committee leadership reached out to the Center for Effective Public Policy (CEPP) regarding assistance related to racial equity and diversity and inclusion training for pretrial services coordinators.

CEPP held several calls with EBDM Pretrial Committee leadership to discuss the need, information available, and scope of work. CEPP and La Crosse County agreed on an area of work, and a contract was finalized in July 2022. The following month, CEPP convened a formal project kickoff meeting.

The first component of the scope of work under this contract has included several key activities to identify racial and ethnic disparities in La Crosse County's pretrial system and identify a population experiencing disparity within a specific intercept or program during the pretrial phase:

- Review the Cumulative Disadvantage presentation and other reports that disaggregate data.
- Identify the population with the most significant disparity at different intercepts and programs.
- Review pretrial policies and practices to understand how they may impact disparities.
- Determine if additional data is needed to identify factors impacting the overrepresentation of a racial or ethnic group at specific criminal justice system decision points.
- Understand available resources and stakeholder commitment to begin addressing racial and ethnic disparities.

Purpose of This Report

This report summarizes CEPP's review of documents and data from La Crosse County that disaggregate arrest, pretrial release, jail bookings, and pretrial program information by race and ethnicity. Next, it recommends focusing on a group experiencing significant disparity based on race or ethnicity.

There are three components to this report:

- First, the report identifies the population experiencing significant disparity across key decision points in the justice system, as well as pretrial and other diversion programs, based on our review of the materials provided by La Crosse County.

- Second, the report summarizes areas where disparity can be addressed at key justice system decision points or program areas.
- Third, the report offers recommendations on the decision points or program areas best suited to develop strategies that address racial and ethnic disparities based on available resources, stakeholder commitment, identified policies or practices contributing to the disparity, and sustainability.

CEPP Team

Orleny Rojas is a senior manager at CEPP. Ms. Rojas plays a critical role in informing CEPP’s efforts to improve pretrial systems in ways that increase fairness, racial equity, and community engagement. Before joining CEPP, Ms. Rojas oversaw the implementation and operation of the Supervised Release Program in the Bronx, Brooklyn, and Staten Island as Deputy Director of Criminal Court Operations. She led a team of social service practitioners who partnered with community organizations to meet the needs of pretrial participants and improve pretrial outcomes. Ms. Rojas has over 13 years of experience working with various criminal justice systems and community stakeholders to center and address the needs of populations that are vulnerable. Previously, she was the court manager for the Court-Based Intervention Resource Team, which secured the release of people at Rikers Island with mental health concerns with the support of appropriate community program interventions and monitoring.

Tanya Anderson is a senior manager at CEPP. Ms. Anderson is a national expert on pretrial services programs. She provides training and technical assistance to jurisdictions across the United States to enhance their systems’ administration of pretrial justice and implementation of effective pretrial supportive services. Ms. Anderson conducts training on the responsible use of assessment tools and strategies that promote success for people on pretrial release. She leads APPR’s Pretrial Practitioner Network, a network of pretrial champions who share their experience and assist jurisdictions in implementing pretrial practices to minimize harm to those impacted by the criminal justice system. She was the Pretrial Services Coordinator for the Administrative Office of the Illinois Courts, providing technical assistance and training for pretrial agencies throughout the state. Ms. Anderson is a member of the National Association of Pretrial Services (NAPSA) and the NAPSA Education Committee. She is a former National Institute of Corrections’ Pretrial Executive Network member.

Methodology

CEPP technical assistance providers conducted three central activities to complete this report: (1) a review of existing data, reports, policies, and additional programmatic documentation; (2) regular meetings with EBDM Pretrial Committee leadership and

additional stakeholders as needed; and (3) analysis of existing best practices and strategies best suited to La Crosse County.

Review of Existing Documentation

La Crosse County provided CEPP with the following:

- Cumulative Disadvantage Presentation (2018/2019 data)
- Drug Arrest Data (from Fred Cheeseman) 2014–2017
- 2021 Justice Support Services Program Data
- January 2022 La Crosse County PSA Output Report
- 2022 La Crosse County Jail Monthly Report (Jan–Sep)
- La Crosse County Arrest Data 2018–2021
- 2021 Wisconsin Court System Reports
 - La Crosse County Disposition Summary
 - La Crosse County Felony Disposition Summary
 - La Crosse County Misdemeanor Disposition Summary
 - La Crosse County Age at Disposition Summary
 - La Crosse County Age of Pending Disposition Summary
- Justice Support Services Program—Pretrial Policies Documents

Monthly Meetings with EBDM Pretrial Committee Leadership

On August 17, 2022, CEPP staff began monthly meetings with EBDM Pretrial Committee leadership. These meetings have offered an opportunity to ask questions regarding the documentation provided, better understand racial equity concerns, learn how the pretrial program operates, and listen to feedback regarding disparities in the pretrial system. Thus far, the conversations have centered on justice system practices, stakeholder engagement, areas of opportunity, challenges, and local efforts to address racial and ethnic disparities.

Data Limitations

This report focuses on previously identified disproportionality and disparity based on various documents, presentations, and data reports from 2014 to 2022. CEPP had limited access to data files and analysis on disproportionality. CEPP staff identified enough data to calculate the Relative Index Rate (RRR) at the arrest and booking intercept, and relied on the numbers and percentages available in the shared reports. CEPP identified a target population by reviewing the disproportional experience of different racial and ethnic groups in documents and data reports with data disaggregated by race and ethnicity.

Documents, Reports, and Data Review

The 2020 census reported the population of La Crosse County at 120,784, with 90.7% identifying as white only, 1.7% Black or African American, 4.9% Asian, 2.3% Hispanic or Latino, and 0.5% American Indian and Alaska Native. In the limited instances where CEPP staff identified the RRI for data collected in 2018, La Crosse County 2017 census data was used.¹ Upon review of all the materials provided by La Crosse County, CEPP staff have made the following observations and findings on populations impacted by disparity and disproportionality.

Arrest and Jail Intercept Disparity and Disproportionality

The Cumulative Disadvantage presentation provided an overview of data disaggregated by race at different decision points in the criminal justice system for 2018 and 2019. Here, CEPP focuses on the 2018 data presented in that report since the information included total amounts for arrest and jail bookings and race and ethnicity data breakdowns.

<i>La Crosse County 2018 Data²</i>	<i>White</i>	<i>Black</i>	<i>Asian</i>
<i>Total population in La Crosse County (2017 census)</i>	107,235	1,528	5,174
<i>Number of people arrested</i>	2,490	698	149
<i>Rate of people arrested per 100 (population)</i>	2	45	3
<i>Disparity gap (times more likely than white adults to be arrested)</i>		19	1.2
<i>La Crosse County jail data</i>	4,215	956	203
<i>Rate of people in jail per 100 (population)</i>	4	62	4
<i>Disparity gap (times more likely than white adults in the jail population)</i>		16	1

In 2018, La Crosse had 3,425 arrests and 5,496 jail admissions. Black people accounted for 17.3% of the jail population. The top reasons for jail stays were warrants (22.9%), justice sanction holds (18.8%), new charges (17%), court orders (16.4%), and parole revocations (14%). When CEPP looked at the district attorney’s charging decisions, Black people were disproportionately charged on possession of THC (25%), obstructing or resisting an officer

¹ See Cumulative Disadvantage presentation, slide 6 (Populations Statistics).

² Cumulative Disadvantage presentation

(24.6%), and felony bail jump (20%). The top three criminal charges were bail jumping (1,050), probation violation (950), and disorderly conduct (791). As the table above reflects, Black people experienced significant disparity and disproportionality at the arrest and jail booking decision points in 2018.

<i>La Crosse County 2021 Data³</i>	<i>White</i>	<i>Black</i>	<i>Asian</i>
<i>Total population in La Crosse County (2020 census)</i>	108,906	2,053	5,918
<i>Number of people arrested in La Crosse County (2021)⁴</i>	4,479	889	165
<i>Rate of people arrested per 100 (population)</i>	4	43	3
<i>Disparity gap (times more likely than white adults to be arrested)</i>		10	.68

CEPP had the opportunity to analyze 2021 arrest data and identified slight improvements in the rate of Black people arrested per 100 in the population and in the disparity gap compared to 2018 data. In 2021, La Crosse had 5,622 arrests. Black people accounted for 16% of those arrests; yet they were only 1.7% of the population, according to 2020 census data. In 2018, Black people accounted for 20% of arrests and 1.3% of the population, according to 2017 census data. It is encouraging to see a decrease in the percentage of arrests, but Black people continue to be overrepresented at this decision point.

La Crosse County also provided disaggregated data on drug arrests for 2017.⁵ A total of 855 arrests were attributed to white people compared with 181 for Black people. For every 1,000 Black people in La Crosse County, 97 were arrested on drug charges compared to 8 of their white counterparts. In contrast, 22 Black people were referred to court for every 1,000 drug arrests compared with 14 of their white counterparts. This is another area where the Black population in La Crosse County experiences significant disparity.

Deferred Prosecution, Pretrial Release, and Drug Court Disparity and Disproportionality

³ La Crosse County arrest data 2018–2021

⁴ La Crosse County arrest data 2018–2021

⁵ Drug arrest data provided by Fred Cheeseman: Number of Drug Arrests and Average Number of Drug Court Referrals per 1,000 Drug Arrests.

As part of identifying a target population experiencing disparity and disproportionality, CEPP analyzed information on programs and initiatives designed to deflect and divert people from jail. Beginning with 2018 data from the Cumulative Disadvantage presentation, out of the total number of cases offered deferred prosecution (number not shown), only 6.45% of Black people were offered deferred prosecution compared to 88.71% of white people. This constitutes a significant underrepresentation in proportion to the 2018 arrest rate (20%) of Black people in La Crosse County. The presentation also shared information about the Justice Support Services program for 2018. The most significant disproportionality experienced by Black people was found in four program areas:

- **Drug Court** – Total episodes (57), of which 86% (49) were attributed to white people compared with 5% (3) for Black people.
- **OVI Court** – Total episodes (161), of which 90% (145) were attributed to white people compared with 4% (6) for Black people.
- **Post-Charge Diversion** – Total episodes (335), of which 84% (281) were attributed to white people compared with 7% (23) for Black people.
- **Pretrial Supervision** – Total episodes (1,082), of which 75% (812) were attributed to white people compared to 16% (173) for Black people.

La Crosse County 2018 JSS Data⁶	White	Black
<i>Number of people arrested in La Crosse County (2021)⁷</i>	2,490	698
<i>Number of pretrial program client episodes</i>	812	173
<i>Rate of JSS pretrial program client episodes, per 100 arrests</i>	32	24
<i>Disparity gap (times more likely than white adults in the arrest population)</i>		.75
<i>Number of JSS post-charge diversion client episodes</i>	281	23
<i>Rate of JSS post-charge diversion client episodes per 100 arrests</i>	11	3
<i>Disparity gap (times more likely than white adults in the arrest population)</i>		.28

⁶ 2021 JSS Program Data report

⁷ La Crosse County Arrest Data 2018–2021

La Crosse County provided Justice Support Services data for 2021, which allowed CEPP staff to ascertain the impact on disproportionality since 2018 for Black people.

- **Drug Court** – Total episodes (40), of which 88% (35) were attributed to white people compared with 5% (2) for Black people.
- **OWI Court** – Total episodes (141), of which 87% (122) were attributed to white people compared with 11% (32) for Black people.
- **Post-Charge Diversion** – Total episodes (286), of which 80% (228) were attributed to white people compared with 7% (23) for Black people.
- **Pretrial Supervision** – Total episodes (711), of which 70% (497) were attributed to white people compared to 22% (158) for Black people.

La Crosse County 2021 JSS Data⁸	White	Black
<i>Number of people arrested in La Crosse County (2021)⁹</i>	4,479	889
<i>Number of pretrial program client episodes</i>	497	158
<i>Rate of JSS pretrial program client episodes, per 100 arrests</i>	11	17
<i>Disparity gap (times more likely than white adults in the arrest population)</i>		1.6
<i>Number of JSS post-charge diversion client episodes</i>	228	32
<i>Rate of JSS post-charge diversion client episodes per 100 arrests</i>	5	3
<i>Disparity gap (times more likely than white adults in the arrest population)</i>		.70

The data shows improvements for Black people across these four JSS programs between 2018 and 2021. In particular, the rate of participation for Black people in pretrial supervision doubled. However, Black people continue to be underrepresented in post-charge diversion programming. To understand the policy and practice dynamics and other contributing factors, additional information and conversations are needed.

⁸ 2021 JSS Program Data Report

⁹ La Crosse County Arrest Data 2018-2021

Further, in conversations with EBDM Pretrial Committee leadership, CEPP staff learned that the drug court is not accepting referrals at the level and capacity it can handle due to internal reprogramming. As reflected in the drug arrest and drug court referral document, Black people are overrepresented in drug arrests and underrepresented in drug court referrals. Access to drug court programming by Black people arrested in La Crosse County provides an important area for further analysis, given the low numbers of drug court program participation reflected in JSS and 2017 drug arrest data.

Target Population Recommendations

La Crosse County Black Population

A review of arrests, jail stays, diversion program documents, reports, and data in La Crosse County shows that Black people suffer significant disparities and disproportionalities in the local criminal justice system. Between 2018 and 2021, Black people made up 1.3–1.7% of the population in La Crosse County but accounted for 20% of the people arrested and jailed.

In particular, the proportion of Black people accessing deflection and diversion programming through Justice Support Services is low in proportion to arrest rates.

To target racial disproportionality and disparity of Black people in La Crosse County, CEPP recommends the following:

- ✓ **Recommendation #1:** Increase the proportion of Black people in the JSS Pretrial Program by identifying barriers to access. Gather additional data on how many were released pretrial, were set bond, or were detained pretrial. Understand judicial attitudes toward and perception of pretrial services.
- ✓ **Recommendation #2:** Develop strategies that increase the referral of Black people to drug court and other treatment court programs. The fees currently charged by these programs may be a barrier to increased participation and access to these programs by Black people involved in the criminal justice system.
- ✓ **Recommendation #3:** Identify opportunities for partnerships between the DA, JSS, and public defender to increase the number of Black people in pre- and post-charge diversion programs.

Next Steps

CEPP staff will prepare a companion document that analyzes decision points where disparities and overrepresentation is experienced by Black people in La Crosse County,



provides guidance on strategies that address disparities, and identifies resources. CEPP staff believe this additional information can help EBDM Pretrial Committee leadership and other stakeholders develop a plan of action to target and address racial disparities during the pretrial phase.

CRIMINAL JUSTICE MANAGEMENT COUNCIL
Wednesday, February 15, 2023
Law Enforcement Center Room 1615

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MEMBERS PRESENT:	Tim Gruenke, Scott Horne, Araysa Simpson, Michael Sersch, John Siegal, Jason Witt, Jenna Theler, Tina Tryggstad, Suthakaran Veerasamy, Scott Alo, Kristina Fore, Troy Harcey, Avrie Schott, Dawn Wacek, Andrew Alvaro-Rasmussen, Heidi Allred
MEMBERS EXCUSED:	Margaret Larson, Vincent Loera, Jayne Rifenberg, Monica Kruse
OTHERS PRESENT:	Tonya Van Tol, Peter Nelson, Ryan Anderson, Jim Verse

CALL TO ORDER

Chair Tim Gruenke called the meeting to order at 5:03 p.m.

APPROVAL OF January 18, 2023 MINUTES OF THE CRIMINAL JUSTICE MANAGEMENT COUNCIL

MOTION by ((Horne/Wacek)) to approve the January 18, 2023 minutes of the Criminal Justice Management Council.

Motion carried unanimously: Larson, Loera, Rifenberg, Kruse excused

PUBLIC COMMENT: None

Fresh Start Program Review and Evaluation: Dr. Lisa Kruse, Dr. Nick Bakken and Tonya Van Tol presented a program overview and the evaluation of the Fresh Start Pilot Project. Fresh Start was a grant funded program through the US Department of Justice that focused on providing reentry services for people incarcerated in the La Crosse County Jail with co-occurring (COD) mental health and substance use disorders. The grant project concluded in the fall of 2022. Dr. Kruse and Dr. Bakken worked in conjunction with JSS and ISRS to gather data in 2 phases (Phase 1- Fresh Start evaluation during COVID Phase 2- Fresh Start post-COVID). Participants in phase 1 had more days in the community on average than the control group that was studied before a new incarceration occurred. Fresh Start clients experienced significant reductions in incarceration compared to the control group. In addition, 50% of clients were considered successful in 3 areas 1) linkage to community based mental health and substance use services 2) remaining in the community for 3 months without reincarceration and 3) compliance to treatment plans. Phase 2 participants also had significant reductions in bed days, incarcerations, and convictions and 56% of participants were successful in the above criteria. The evaluators recommendations included 1) Continue program due to promising results 2) Continue data collection of COD populations 3) Continue efforts to standardize screening process in jail 4) Increase mental health services in jail and community.

Next Steps in Formation of a Mental Health Court Subcommittee: The CJMC members continued the discussed regarding the formation of the CJMC subcommittee. Jason Witt and Tonya Van Tol will participate from Human Services. Simpson stated that a formal treatment court might not be the solution, but a gaps analysis will help determine what is needed in our community. Judge Horne mentioned that the Miami-Dade model is a pre-diversion program rather than a formal treatment court. The goal is to schedule a kick-off

organizational meeting prior to the Mental Health Summit that is taking place on April 21st. Data collection and system mapping will be a focus of the committee.

Stepping Up Initiative Resolution Discussion: Gruenke provided an overview of the proposed resolution. If approved, this will move on to Health and Human Services and the Judiciary and Law Committees. If those committees approve, then it will move on to the full county board.

A motion to approve the draft resolution was made. (Triggenberg/Horne) The motion unanimously passed.

AGENCY UPDATES: Simpson asked for feedback from members as to what updates the members would like to see from the Public Defender's Office.

INFORMATIONAL / MISC:

- Heidi Svec has stepped down from the CJMC. We are seeking community applicants who can fill the victim advocate role on the committee. We have a current applicant who has been referred to Monica Kruse.
- Ryan Anderson, a guest from Department of Justice, who is partnered with La Crosse County overseeing the TAD diversion grant was introduced.

FUTURE AGENDA ITEMS: None

ADJOURN: There being no further business Chair Gruenke adjourned the meeting at 6:13 p.m.

Disclaimer: The above minutes may be approved, amended, or corrected at the next committee meeting.

Recorded by Tonya Van Tol

DATE: 03/06/2023

AGENCY: LCSO

SUBMITTED BY: John Siegel

CJMC mission related agency updates and any relevant background or context:

The jail is seeing a steady rise in daily bookings and inmate population. It appears that the majority of the increase is in Bail Jumping arrests and P.O. Holds, which often go hand in hand.

We have two people on the wait list for a bed at a State Hospital on competency commitments - they have been in custody for over 500 days and over 300 days.

We continue to see significant mental health needs in our population. Collaborating with our county and outside resources to address the needs is crucial to treating them.

Relevant service data:

Inmate Count on 3/6/2023 120 people

Media attention, community events, etc. – please include links or relevant details

Empty box for media attention, community events, etc.

DATE: 3/3/2023

AGENCY: La Crosse County: Comprehensive Community Services (CCS)

SUBMITTED BY: Ryan Ross, CCS Clinical Services Supervisor

CJMC mission related agency updates and any relevant background or context:

Relevant service data:

Media attention, community events, etc. – please include links or relevant details

The 10th Annual Mental Health Awareness Day is scheduled for Thursday May 25 from 12:00-4:00pm. The walk through downtown will start at 12:00pm in front of the La Crosse County Human Services building and end back at the La Crosse County Human Services basement auditorium where a community resource fair, networking opportunities, and refreshments will be held from 1-4pm.

**CRIMINAL JUSTICE MANAGEMENT COUNCIL
AGENCY UPDATE**

DATE: _____

AGENCY: _____

SUBMITTED BY: _____

CJMC mission related agency updates and any relevant background or context:

Relevant service data:

Media attention, community events, etc. – please include links or relevant details