



COURTS COMMITTEE AGENDA

January 20, 2011 AT 8:00 A.M.

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **Review and approval of minutes**
- **Hispanic names follow-up – Sally Cumiskey**
- **Continuance policy – Judge Buytendorp, Karin Sonneman**
- **Soundproofing update – Sally Cumiskey**
- **E-charging update – Sally Cumiskey**
- **Pre-trial supervision program, visit from Project Remand –
Kalene Engel**
- **Public defender workgroup update – Kalene Engel**
- **Diversion program update – Kalene Engel, Judge
Buytendorp**
- **Discovery status report – Justin Wesley, Karin Sonneman**
- **Uniform citation training – Justin Wesley**



Next meeting: February 17, 2011 at 8 a.m.



CJCC COURTS COMMITTEE MEETING

January 20, 2011

Present: Judge Buytendorp, Julie Koop, Sue Smelser, Carmaine Sturino, Kalene Engel, Sally Cumiskey, Sherri Brekke, Aarah Saugen, Lynne Caldwell, JP Plachecki, Christine Ledebuhr, Rena' Patterson, Roseann Shaw, Karin Sonneman, Marsha Metzler

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

The meetings are held the third Thursday of every month at 8:00 a.m. in the jury room adjacent to Courtroom 2. The next regular meeting will be held on Thursday, February 17, 2011.

Discussion:

Review and approval of December meeting minutes

Tracking Hispanic names follow-up – Sally Cumiskey: The BCA has set standards for entering Hispanic names into the system. Adopting the standards will be a county-wide decision involving all law enforcement agencies.

Continuance policy – Judge Buytendorp, Karin Sonneman: Ms. Sonneman said the County Attorney's Office is continuing with a policy of charging within two weeks of a case referral and is trying to get plea offers out early. The office is instituting procedures to send out witness lists early (by the default omnibus hearing) and notify the witnesses early and hope to make this process uniform among the assistant county attorneys. Ms. Sonneman has been meeting with the law enforcement chiefs and has discussed the issue of officers being unavailable to testify due to attending trainings. Julie Koop will monitor the continuances and the reasons they are granted. This will be discussed at a Courts Committee meeting six months from now.

Soundproofing update – Sally Cumiskey: On January 28 and January 29, contractors will repair the shared wall between the fourth floor courtrooms. Five partial days will be needed to paint and repair the wall. A sound test will be conducted for the third floor ceiling speakers. If the sound test produces satisfactory results, the project should be completed.

E-charging update – Sally Cumiskey: At the end of January or early February, an e-charging demo will be conducted for the County Attorney's Office, Sheriff's Office, and court staff. A notice will be sent out with more details. In March or April the BCA will work on a master joint power agreement. Beginning in April, a manager will be assigned to oversee the project. Late May or early June is the go-live date.

Pre-trial supervision program, visit from Project Remand – Kalene Engel: On February 3, Mary Pat Maher will be in Winona to give a presentation on Project Remand. This will take place at 10 a.m. in the banquet room of the Kensington. Pretrial services, pretrial supervision,

diversion, and bail evaluation will be discussed. The pretrial workgroup has not yet officially met but will be kicking off with this presentation.

Public defender workgroup update – Sally Cumiskey: Ms. Cumiskey reported that the group met earlier this week. The discussion included the contents of the application itself, what is important to the judges, and what financial information should be required if a background check were to be done. The statute requires the public defender office to develop the application and the judge to make the inquiry. Due to lack of resources, no background checks are done.

Suggestions from the group included reviewing the contents of the form to make sure the necessary information is gathered, putting instructions on the back of the form, and sending the form along with the summons/complaint to non-custody defendants so they can apply in advance of the Rule 5. Court Administration staff met after the meeting and reviewed why getting the information to the PD office has to be done as quickly as possible; a decision was made to expedite the minutes and send them with the whole packet rather than separately. The minutes were one of the reasons the paperwork was being delayed in some instances. There was feedback that the turn-around from the PD office sometimes took 2-4 days.

Follow-up communication from Karen Duncan inquired if the Sheriff would be willing to show a short “how to fill out the form” video to defendants. She also said that the plan to rotate a PD to the Rule 5 hearings was now feasible; this has been put on hold due to PD resources. When first discussed, the PD office planned to have an intern go to the Jail at the same time as Court Administration reviewed the application with the defendant, but the thought at the meeting was that an intern might not be a good idea due to turn over and consistency.

The work group will be meeting again to go forward on some of the ideas. An email was sent to the Winona judges asking for input on the current application form. The current form is a one-page form and was adopted by the Third District some years ago in lieu of the one in the Rules because that one was too time-consuming. The application itself is currently also being reviewed by Sue Dosal and John Stuart at the state level.

Diversion program update – Kalene Engel: The misdemeanor workgroup implemented through the CJCC was asked to review juvenile diversion. One suggestion was to add truancy and runaways. Following timelines on CHIPS cases was discussed and will be on the agenda for April’s meeting. Ms. Sonneman discussed earlier truancy referrals to restorative justice and said the County Attorney’s Office would like to work with restorative justice.

Discovery status report – Karin Sonneman: Justin Wesley spoke to the county sheriff’s department and the city policy department to better coordinate discovery.

Uniform citation training: Sally Cumiskey reported for Justin Wesley. Tom Frost assigned Mr. Wesley to provide training for officers on the new uniform citation. The citation will become mandatory either July 1 of this year or January 1, 2012. Ordering will begin in early February; there will be some discount if ordered in 2011.

Mr. Wesley’s training went over the importance of legible writing, correct statutes, community of offense, prosecuting agency, and other elements. At the morning training questions came

up that were answered by the evening training. Mr. Wesley provided the website for the BCA CrimNet statute table.

Starting in late February/early March, Court Administration will begin scanning tickets to a central location. These people will not be familiar with officers or locations, so legibility and accuracy are very important. Several of the elements determine what the fine is and where it goes. Court Administration will be advising officers not to attach reports to petty misdemeanors once the start date is known. Reports will still be attached to mandatory misdemeanors. For payable misdemeanors, since the reports are important to the prosecutors and defense attorneys at arraignment, Court Administration will re-attach those reports after scanning the tickets. The scanned images will be available on MNCIS, but no other papers will be scanned so Court Administration will be running a dual file system.

Other issues:

Blueprint for Safety coordinator – Kalene Engel: The coordinator was just hired and the kickoff meeting is scheduled for January 21. This item will be on the agenda for next month's Courts Committee meeting.

K2, plant food – Kalene Engel: The County Attorney's Office is looking into this issue with law enforcement. It will also be discussed at the next Minnesota County Attorneys Association meeting.

Next meeting: February 17, 2011 at 8 a.m.

February agenda:

Review and approval of minutes
Blueprint for Safety – Kalene Engel

COURTS COMMITTEE AGENDA

February 17, 2011 AT 8:00 A.M.

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **Review and approval of minutes**
- **Blueprint for Safety – Kalene Engel**
- **DANCO Order cancellation – Sally Cumiskey**
- **E-charging – Sally Cumiskey**
- **Diversion programs update – Kalene Engel, Stephanie Nuttall**
- **Expungement clinic – Carmaine Sturino**

Next meeting: March 17, 2011 at 8 a.m.

CJCC COURTS COMMITTEE MEETING
February 17, 2011

Present: Judge Buytendorp, Julie Koop, Sue Smelser, Carmaine Sturino, Kalene Engel, Sally Cumiskey, Sherri Brekke, Aarah Saugen, Lynne Caldwell, JP Plachecki, Roseann Shaw, Karin Sonneman, Marsha Metzler, Lori Larson, Stephanie Nuttall, Tami Mueller, Tom Williams, Shanna Baldauf

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

The meetings are held the third Thursday of every month at 8:00 a.m. in the jury room adjacent to Courtroom 2. The next regular meeting will be held on Thursday, March 17, 2011.

Discussion:

Review and approval of January meeting minutes

DANCO order cancellation – Sally Cumiskey: If there is a DANCO order and the case resolves earlier than the expiration of the order, the DANCO is not cancelled unless the prosecutor informs Court Administration that it should be.

E-charging – Sally Cumiskey: Ms. Cumiskey was told she would be contacted about a presentation on e-charging in late January or early February but has not heard anything. She will give an update at the next Courts Committee meeting.

Diversion programs update – Stephanie Nuttall: The first two felony pleas under the program occurred the day before the meeting. The prosecutor makes a determination of eligibility, gives it to the defendant with the terms of the plan, they come back to court to lay the factual basis, the defendant pleads guilty but the judge does not accept the plea, then the individual has one year to complete the program.

A meeting for the misdemeanor diversion program is scheduled for the Wednesday following the meeting. For that program, the burden is on the defendant to apply for the program. The website and phone line are set up and information is available at traffic court and court administration. The prosecution must make an initial determination of zero criminal history and a review panel is held once a week. For this program, the defendant signs an admission and does not need to come to court. All misdemeanors will flow through the County Attorney's Office, even city ones. Once diversion is completed, the misdemeanor will be dismissed, kind of like a continuance for dismissal. Targeted misdemeanors are not eligible. There has been discussion of dovetailing this program with the juvenile program.

Expungement clinic – Carmaine Sturino: A conference was held a couple of weeks ago for prosecutors and defense attorneys regarding collateral sanctions and collateral consequences related to criminal histories. Interest was expressed in holding a clinic in Winona to help individuals fill out expungement paperwork.




Other issues:

CJI meeting – Lynne Caldwell: The Thursday following the meeting, Judy Nord will be making a presentation in Winona. She is a staff attorney for the state court system. She will discuss the CHIPS process.

Soundproofing – Sally Cumiskey: The soundproofing work is done in the courtrooms. A sound test will be conducted once the TVs are reconnected.

Alternative courts – Karin Sonneman: The proposal is for drug, DWI, mental health, and veterans' courts. Judge Leahy and Judge Buytendorp have expressed interest in serving as judges for the alternative courts. Kalene Engel has been asked to start a workgroup for the planning process. September is the goal deadline for the courts to be implemented.

Justice Sanctions is a program in La Crosse that includes pretrial programming, bail evaluation, mental health and chemical dependency evaluations. On the morning of March 18th, a group from Winona will go to La Crosse to observe.



Recommendations in violation reports – Aarah Saugen: Ms. Saugen addressed a suggestion that the DOC go back to handling everything but summary hearings on its own. She says this is not feasible, because it would involve too much court time. As an alternative, they have discussed including recommendations in violation reports to help speed things along. However, if there is an additional violation, the first violation reports would be null. This will be placed on the agenda for a judges' meeting.

Next meeting: March 17, 2011 at 8 a.m.

March agenda:

Review and approval of minutes
E-charging – Sally Cumiskey
Diversion programs

COURTS COMMITTEE AGENDA

March 17, 2011 AT 8:00 A.M.

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **Review and approval of minutes**
- **E-charging – Sally Cumiskey**
- **Forfeitures – JP Plachecki**
- **Ex parte communication – JP Plachecki**
- **Use of ITV – Kalene Engel**
- **Misdemeanor and adult diversion**

Next meeting: April 21, 2011 at 8 a.m.

CJCC COURTS COMMITTEE MEETING

March 17, 2011

Present: Judge Buytendorp, Julie Koop, Carmaine Sturino, Kalene Engel, Sally Cumiskey, Sherri Brekke, Aarah Saugen, Lynne Caldwell, Roseann Shaw, Karin Sonneman, Marsha Metzler, Stephanie Nuttall, Christine Ledebuhr, Renee Rumpca, Rena' Patterson

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

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Discussion:

Review and approval of February meeting minutes

eCharging – Sally Cumiskey: Ms. Cumiskey recently learned that she was not being updated on eCharging because her contact person is no longer working at the BCA. She has been in contact with Tom Miller, eCharging Project Manager. Mr. Miller is willing to set up a web demo for any interested agencies. Kalene Engel will arrange the web demo and this item will be discussed at next month's meeting.

Forfeitures – Sally Cumiskey: Forfeitures are civil cases, and civil cases are closed administratively after one year and not monitored by court administration. The judges say if a civil file has been closed administratively, a motion is required for it to be put back on the calendar. The policy will continue in this manner.

Ex-parte communication – Sally Cumiskey: If the DOC has concerns regarding a particular defendant or juvenile, it is appropriate for someone from the DOC to do a memo to the court with a copy to both attorneys so as to eliminate any ex-parte communication.

Use of ITV – Kalene Engel: Steve Buswell from the Sheriff's Office attended a regional jail meeting which discussed using the ITV for hearings of individuals located in specialized jails to save on transportation costs. Concerns will be gathered at the local level for Mr. Buswell to take back to the regional jail meeting. This item will be on next month's agenda.

Misdemeanor and adult diversion – Stephanie Nuttall: Three diversion programs are now up and running. Juvenile program has always been in place, but modifications are being made to make it more similar to the misdemeanor program.

For the felony program, the prosecutor initially reviews cases and decides if an individual is eligible. Once the defendant has an attorney, the attorney receives a packet containing the guidelines, a biographical information form, and an application to be signed and returned by the default omnibus hearing. The county attorney pulls the defendant's criminal history and sends it to the DOC. Tami Mueller from the DOC sets up an appointment to meet with the defendant to have the agreement signed. The defendant enters a guilty plea in court, and it is

at that point that the agreement becomes effective. A copy of the diversion agreement is attached to a modified Rule 15 petition. The defendant has one year to complete the program requirements after the plea is entered. If the individual was unsuccessful, the prosecutor requests a court date and treats the file like a continuance for dismissal – the guilty plea is accepted and the individual is sentenced. If the individual is successful, a dismissal is filed with the court.

The misdemeanor diversion program started March 1st. The burden is on the defendant to apply for this program, and they can apply any time up to the pretrial hearing. Information on the program is provided by website, phone line, in traffic court, and at court administration, as well as on the new statewide tickets. Once the county attorney receives an application, they pull a copy of the ticket, police report, and criminal history. An individual is automatically eligible if they have no prior criminal history and committed an eligible offense. They would then be referred to the Department of Corrections. If the defendant has a prior felony, gross misdemeanor, or targeted misdemeanor conviction or case pending, he or she is not eligible. In other cases, a panel determines eligibility. The panel consists of a prosecutor, law enforcement officer, Sherri Brekke from DHS, a DOC representative, and a Restorative Justice representative and meets once a month. If a defendant is eligible, they will meet with a DOC agent, sign the agreement, and make an admission. If an individual completes the program successfully, the file will be returned to the county attorney and the county attorney will write a letter to court administration. If the defendant is unsuccessful, the prosecutor will send a letter or file a motion to court administration for a new hearing date.

Juvenile diversion is handled similarly to misdemeanors. Truancies and runaways are not eligible for the program. This will be discussed at next month's meeting.

Other issues:

Public defender application workgroup – Sally Cumiskey: Ms. Cumiskey handed out an almost final draft of the application. Court administration had been mailing out poverty guidelines with summons and complaints, but the public defender applications were not being returned. Many applications received by court administration are incomplete. It was suggested that court administration use a "Denied – Incomplete" stamp for applications, which would then be sent back and the case scheduled for a default omnibus hearing. This will be discussed at the next judges' meeting and at the April Courts Committee meeting.

Winona County census figures – Karin Sonneman: Winona County's population has now exceeded 50,000, so it may no longer be considered a rural community for grant purposes.

CJCC meeting – Kalene Engel: The next meeting will be April 1st at noon. The Chief Justice of the Supreme Court will be in attendance. At 1 p.m., a presentation will be given on collateral consequences. Anybody interested should attend.

Law library – Stephanie Nuttall: There is now a clerk in the law library, from 12 p.m. to 1:45 p.m. on Mondays through Fridays.

Next meeting: April 21, 2011 at 8 a.m.

April agenda:

- Review and approval of minutes
- E-charging – Sally Cumiskey
- ITV – Kalene Engel
- Juvenile diversion
- Public defender application – Sally Cumiskey

COURTS COMMITTEE AGENDA

April 21, 2011 AT 8:00 A.M.

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **Review and approval of minutes**
- **CHIPS timelines**
- **E-charging – Sally Cumiskey**
- **ITV – Kalene Engel →**
- **Juvenile diversion**
- **Public defender application – Sally Cumiskey**
- **PD representation termination at sentencing – Carmaine Sturino**
- **Plea Policy – Judge's**

Next meeting: May 19, 2011 at 8 a.m.

CJCC COURTS COMMITTEE MEETING
April 21, 2011

Present: Judge Buytendorp, Carmaine Sturino, Kalene Engel, Aarah Saugen, Lynne Caldwell, Roseann Shaw, Karin Sonneman, Marsha Metzler, Stephanie Nuttall, Christine Ledebuhr, Rena' Patterson, Sue Smelser, Julie Thompson, Judge Thompson, Michael Flaherty

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

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Discussion:

Review and approval of March meeting minutes

Chips Timelines: Julie Thompson stated they are reviewing cases and will note where there are areas of concern. Renee and Deb in Court Administration are also reviewing reports and files. They are trying to make sure that the proper hearing codes are being used. We will put this on the July agenda and ask Julie Thompson and Lynne Caldwell to give us an update. Lynne mentioned that she could make copies of the timeline for anyone interested.

E-charging – Sally Cumiskey: There is a training meeting being held on May 4th from 10-Noon at the government center board room. Kalene has notified people about the meeting and that it's for charging out criminal complaints. There will be subsequent training. We do not have specific timelines yet as to when this may be implemented.

ITV – Kalene Engel: This is a hot topic for the jail. A summary of the rules and concerns will be forwarded to Steve Buswell. We would like to have Steve come as a guest to our next meeting and give us an update on the progress with the regional jail staff and the ITV issue.

Juvenile diversion – Stephanie Nuttall: The juvenile diversion program is ready to go. The biggest difference is the review panel. Anyone with zero history will be automatically referred to the diversion program. In truancy petitions, if the juvenile missed 15 times or less then they can be referred to the diversion program. If more than 15 times, then there are bigger problems and they will want those to be going to Court. Stephanie can send us an updated guideline once some small changes are made. On the review panel: Stephanie Nuttall, Kevin Burke, Sherri Brekke, Kevin Carney, and Justin Wesley.

Public Defender Application – Sally Cumiskey: This is on hold for the moment. It is being considered to have a state-wide application form. We are going to hold off on this until we see what the legislature does.

Public Defender representation termination at sentencing – Carmaine Sturino: What seems to be happening is that defendants are getting jail sentences and once in jail they are asking to get furlough, STS or if they can go into treatment. The defendants are calling the

attorneys from jail with these post sentencing issues. At that point the public defenders are no longer representing them and they should not be contacting them for these types of requests. We should probably make sure that at sentencing hearings, we are addressing the question of will the defendant be wanting STS or furlough once they start sentencing. It was discussed that in Olmsted they have a jail review panel that goes over these types of requests. Would our jail want to have a panel to say yes or no to these types of requests? Kalene will propose to the jail initiative meeting. We will put this on the agenda for two months out.

Plea Policy – Judge Thompson: JP Plachecki did ask that this be put on next month's agenda. It will be placed on the agenda but was also briefly discussed. It has been discussed to have a statewide best practices policy for the Court. One of the items on the best practices would be to have a drop dead date for pleas. Judge Thompson discussed that a plea policy could be useful but is not asking for a vote on it at this time. He stated we need to have some discussion about it before making such policy. The last day pleas are causing so much more work and allowing the defense to not take a plea until last day. Judge Thompson wants people to know that if the defendant does not admit or take responsibility for doing something wrong you should know that well in advance of trial date. Also the policy would require that if a plea takes place the morning of trial and the Judge does not accept the plea, the trial will begin that day and all parties need to be ready for that. There was discussion on this and how we could handle such a policy. Discussion was had regarding setting blocks of time just days before the trial to get pleas on the record. Or, perhaps doing pleas on a day to day basis like we currently handle our detention hearings. There are several pros and cons that were discussed. Further review and questions need to take place on this issue. The issue will be discuss at the next meeting.

Next meeting: May 19, 2011 at 8 a.m.

April agenda:

- ITV – Kalene Engel and Steve Buswell
- Plea Policy – Judge Thompson

WINONA DISTRICT COURT PLEA POLICY

WHEREAS, the district court is substantially underfunded and needs to make the most effective use of the jury trial calendar time available, and

WHEREAS, the taking of guilty pleas offered on the day of trial is time consuming and often results in jury trial cases being continued at the last minute or precious jury trial calendar time being unused for jury trial cases.

NOW, THEREFORE, THE DISTRICT JUDGES OF WINONA COUNTY, HEREBY RESOLVE AND PROCLAIM:

ONE: No Alford plea, Norgaard plea, Lothenbach plea or Guilty plea containing a sentencing recommendation will be entertained by the trial judge if offered on the day set for the commencement of the jury trial in that case, and

TWO: If a guilty plea offered on the day of trial is not accepted by the trial judge, the State will be expected to proceed to trial with no further delay. The failure of the State to proceed to trial on the day set for jury trial in that case may result in the dismissal of the complaint by the trial judge.

IT IS SO ORDERED:

DATE:

JUDGES OF DISTRICT COURT

CJCC COURTS COMMITTEE AGENDA

May 19, 2011 at 8:00 AM

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **ITV – Kalene Engel and Steve Buswell**

- **Plea Policy – Judge Thompson**

- **Jail Furloughs – Kalene Engel**

- **Meds and the Jail – Carmaine Sturino and Steve Buswell**

- **Drug Court – Bev Snow guest speaker**

Attachment regarding ITV Rules:

MN Rules Governing ITV

- In June of 2009, the Minnesota Supreme Court established an ITV Task Force to review and recommend proposed changes to the Rules of Criminal Procedure concerning the use of ITV in criminal cases.
- Amendments to MN Rule 1.05 took effect on July 1, 2010
- ITV in **criminal cases** is governed by MN Rule 1.05
- The new amendments to the rules include the following improvements to the use of ITV:
 - Add two triggers to permit the use of ITV
 - Judge unavailability (current trigger);
 - When defendant is in custody in another county (new); and
 - In the interests of justice (new)
 - Expand the hearing types where ITV may be used- contingent upon the consent and location of the parties;

- Rule 5 and 6 hearings (initial appearance);
 - Rule 8 hearings (arraignment);
 - Rule 11 hearings for the purpose of waiving an Omnibus Hearing;
 - Plea;
 - Sentencing; and
 - Probation revocation proceedings
- The defendant, defense attorney, prosecutor and judge must consent to ITV
- Require the defendant and defense attorney to be at the same terminal site if ITV is being used for sentencing
- Allow pending charges in multiple counties to be heard in a single proceeding using ITV
- Allow witnesses to testify using ITV if all parties agree
- Allow ITV sites to be located in other buildings other than a “courthouse” as long as the ITV site is a “courtroom”
- ITV in civil cases is governed by MN Rule 131
 - In all civil actions and proceedings, including commitments, the court may conduct hearings and admit oral testimony by ITV.

ITV WORKGROUP CONCERNS

- Doesn't address juvenile cases
- How can the defense attorney be in the same location as the defendant?
- Who sets up ITV?
- Who pays for ITV?

CJCC COURTS COMMITTEE MEETING

May 19, 2011

Present:

- | | | | |
|--|---|--|--|
| <input checked="" type="checkbox"/> Judge Buytendorp | <input checked="" type="checkbox"/> Judge Thompson | <input checked="" type="checkbox"/> Judge Leahy | <input checked="" type="checkbox"/> Karin Sonneman |
| <input checked="" type="checkbox"/> Michael Flaherty | <input checked="" type="checkbox"/> Kalene Engel | <input checked="" type="checkbox"/> Carmaine Sturino | <input checked="" type="checkbox"/> Sally Cumiskey |
| <input checked="" type="checkbox"/> Chris Ledebuhr | <input checked="" type="checkbox"/> JP Plachecki | <input type="checkbox"/> Rich McCluer | <input checked="" type="checkbox"/> Kurt Knuesel |
| <input checked="" type="checkbox"/> Tom Williams | <input checked="" type="checkbox"/> Lynne Caldwell | <input checked="" type="checkbox"/> Sue Smelser | <input checked="" type="checkbox"/> Marsha Metzler |
| <input type="checkbox"/> Renee Rumpca | <input checked="" type="checkbox"/> Stephanie Nuttall | <input checked="" type="checkbox"/> Judy Gilow | <input checked="" type="checkbox"/> Sherri Brekke |
| <input checked="" type="checkbox"/> Steve Buswell | <input type="checkbox"/> Julie Thompson | <input type="checkbox"/> Lori Larson | <input type="checkbox"/> Rene' Patterson |
| <input type="checkbox"/> Aarah Saugen | <input type="checkbox"/> Bruce Nelson | <input type="checkbox"/> Tami Mueller | <input checked="" type="checkbox"/> Justin Green |
- Bev Snow

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

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Discussion:

Review and approval of April meeting minutes.

Drug Court (Guest speaker, Bev Snow)

Bev Snow came and spoke to our group about multi county drug court. The time is now to begin the planning stage of Drug Court for Winona County. We are proposing to join with Olmsted County. Olmsted County has already done the planning part of the program, but we can still merge together and be at different stages.

It's being proposed to have our drug court be POST conviction drug court. Bev stated she feels there is a higher success rate with post conviction participants. Olmsted and Winona would share a Drug Court Coordinator – 50/50. It's also recommended that Winona County have their own Drug Court separate than Olmsted.

The representatives from the departments involved indicated their full support at the meeting to proceed. With that blessing, Bev Snow will start the process of working on a grant application for Olmsted/Winona Multi Court Drug Court.

ITV (Steve Buswell)

Steve Buswell informed us that the jail is still looking into ITV for the jail. This would allow families and attorneys to speak with inmates if they were located in another facility. There is currently a work group to review the increased use of ITV. That workgroup will be expanded for further review of the issue.

It appears that this is the wave of the future but our current financial position is putting a hold on this. Steve will report back at the July meeting with an update from the workgroup.

Jail Furloughs (Steve Buswell)

Olmsted County has a jail furlough program. Winona County will consider use of a similar program. Steve or Kalene will get Julie a copy of that program. Julie will attach that program to the June agenda.

Felony PSI (Sally Cumiskey)

DOC will now be sending the felony PSI's directly to the attorneys. The Court will only receive the Court's copy.

Next meeting: June 16, 2011 at 8 a.m.

June agenda:

- Jail Review Panel for Furlough, STS requests – Kalene Engel/Steve Buswell
- Plea Policy – Judge Thompson
- Meds and the Jail – Carmaine Sturino and Steve Buswell

CJCC COURTS COMMITTEE AGENDA

June 16, 2011 at 8:00 AM

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- Jail Review Panel for Furlough, STS requests – Kalene Engel

- Plea Policy – Judge Thompson

- Meds and the Jail – Carmaine Sturino and Steve Buswell

- Discovery Workgroup update – Kalene Engel

- Drug Court update – Karin Sonneman

- Testing for synthetic drugs – Karin Sonneman/DOC

Attachments for discussion at meeting:

Next meeting will be held on July 21, 2011

CJCC COURTS COMMITTEE MEETING

June 16, 2011

Present:

- | | | | |
|--|--|--|---|
| <input checked="" type="checkbox"/> Judge Buytendorp | <input checked="" type="checkbox"/> Judge Thompson | <input type="checkbox"/> Judge Leahy | <input checked="" type="checkbox"/> Karin Sonneman |
| <input type="checkbox"/> Michael Flaherty | <input checked="" type="checkbox"/> Kalene Engel | <input checked="" type="checkbox"/> Carmaine Sturino | <input type="checkbox"/> Sally Cumiskey |
| <input checked="" type="checkbox"/> Chris Ledebuhr | <input checked="" type="checkbox"/> JP Plachecki | <input type="checkbox"/> Rich McCluer | <input type="checkbox"/> Kurt Knuesel |
| <input checked="" type="checkbox"/> Tom Williams | <input checked="" type="checkbox"/> Lynne Caldwell | <input type="checkbox"/> Sue Smelser | <input checked="" type="checkbox"/> Marsha Metzler |
| <input checked="" type="checkbox"/> Renee Rumpca | <input type="checkbox"/> Stephanie Nuttall | <input type="checkbox"/> Judy Gilow | <input checked="" type="checkbox"/> Sherri Brekke |
| <input checked="" type="checkbox"/> Steve Buswell | <input type="checkbox"/> Julie Thompson | <input type="checkbox"/> Lori Larson | <input checked="" type="checkbox"/> Rena' Patterson |
| <input type="checkbox"/> Aarah Saugen | <input type="checkbox"/> Bruce Nelson | <input checked="" type="checkbox"/> Tami Mueller | <input checked="" type="checkbox"/> Justin Green |

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

The meetings are held the third Thursday of every month at 8:00 a.m. in the jury room adjacent to Courtroom 2. The next regular meeting will be held on Thursday, July 21, 2011.

Discussion:

Review and approval of May meeting minutes.

Jail review panel:

Steve Buswell will get a copy of jail's current furlough policy. (see attachment 1) This committee should review the policy and we will discuss it at next month's meeting. By everyone understanding what the jail's policy is on furlough's, we are hoping to reduce the amount of requests that go to the Court for their review. The Jail Committee is also looking at this policy.

Defendants still have the right to contact the Judge on their furlough requests. But should the Judge get such request, they can refer it to the furlough review panel. We need to look into who would like to be on that panel for these decisions.

Plea policy:

Judge Thompson previously stated his plan to enforce a plea policy. He is in receipt of a letter from the Bar Association which objects to this proposed policy.

Judge Thompson stated that the Chief Justice wants the Judge's to make things more efficient. He is hoping to implement a plea cut off policy date. Chief Judge Benson is in favor of this idea. Prosecutors need to look at the charges they are filing before actually filing them with the Court. Amended charges need to be done before the day of jury trial. We need to further our discussion on this proposed policy so the group can be in agreement.

There was also discussion on possibly setting Friday afternoon's before jury trial as a plea block. All cases that did not resolve at pre trial but have now resolved before jury can be put on the record the Friday afternoon before trial. Carmaine Sturino and Chris Ledebuhr would

agree to help public defender cases if the assigned attorney is not available. The Courts would also have to agree to allow other Judge's taking their pleas and cases going back to assigned Judge for sentencing.

The Judge's will discuss these issues at their next Judge's meeting on June 30th.

Meds and the jail:

A few issues came up on this subject. There are times when defendants are told at hearings that they will be allowed to take their medications and attend all doctor appointments. This is not always accurate. There are certain medications the jail does not allow and also they are only allowed to go to appointments if they meet the jail requirements. There are some medications that defendants want to take in pill form and the jail only offers it in liquid form. Therefore, defendants will refuse the medication resulting in problems. Before a defendant reports to jail, they are supposed to set up or talk with the jail about their arrangements. At that time, the jail informs the defendants what medications they can bring and if there is a prescription not allowed. This troubleshoots problems before they check in.

It was suggested that perhaps the jail could do a presentation for the Judge's on the steps they take when they are presented with a defendant that has medical concerns.

DISCOVERY WORKGROUP UPDATE:

Kalene updated us about a software company in Minnesota that could help with integrating our systems. They would be willing to come down and speak to us about their software. This software can help take the agencies and integrate multiple programs together. There is no cost for their presentation. They could specialize the presentation for just one agency or cover all the different departments involved. It's a very neat program and may help with our continuing problem with discovery being received. Kalene has reserved the county board room for July 13th in hopes they will come and be able to do demonstrations. E-charging is set for this fall and this would work well at being integrated at the same time as our e-charging. The workgroup will meet on this again and we will put this on next month's agenda.

Testing for synthetic drugs:

We may need to form a mini workgroup to investigate what's out there for testing on these synthetic drugs. Currently the law goes into effect on July 1, 2011 and this is before the technology is available for the testing. Right now, Doctors are not even sure how to treat for these overdosed cases. They are currently just flushing out their systems and hope for the best. They will only release the individuals from the hospital if there is someone that will be with them 24/7. We will discuss this at the next meeting to see if any more information is received. If no more information is received, we will have to set up a mini workgroup.

Drug court update:

Continue to next month's agenda.

Next meeting: July 21, 2011 at 8 a.m.

July agenda:

- CHIPS Timelines Review – Julie Thompson and Lynne Caldwell
- ITV for jail purposes – Kalene Engel and Steve Buswell
- Jail review panel, regarding furloughs – Steve Buswell
- Discovery workgroup update – Kalene Engel
- Testing for Synthetic Drugs – Karin Sonneman
- Drug Court update – Karin Sonneman

**OLMSTED COUNTY SHERIFF'S OFFICE
ADULT DETENTION CENTER**

**POLICY # 10-19
ACA STANDARD:
DOC STANDARD:
SUBJECT: Furloughs
REVISED: 12/08/2010**

POLICY:

The Olmsted County Adult Detention Center will consider furloughs requests for sentenced detainees on a case by case basis.

PURPOSE:

To identify detainees who have a legitimate furlough request.

PROCEDURE:

- A. Detainees can submit a furlough request to the Program Director or the Work Release Sergeant. They will consider the following in determining if a furlough request is appropriate:
1. Is the detainee sentenced?
 2. Does the detainee have any holds for other agencies?
 3. Is there a risk to public safety?
 4. Is there a risk to the safety and security of the facility?
 5. Has the detainee displayed appropriate behavior in the facility?
 6. What is the purpose of the furlough?

If a furlough is granted the detainee will be informed of the allotted times, the criteria of the furlough, the expectations upon return ie: UA or PBT requirements, etc.

- B. Detainees that are not sentenced will not be considered by the ADC for furloughs

APPEAL PROCESS:

- C. Detainees have the right to appeal a request that has been denied by the Program Director/Work Release Sergeant to the Operations or Administrative Captain.
- D. The decision may then be appealed to the Director, and then to the Sheriff. The Sheriff is the final authority on all actions that are not criminally charged.
- E. It is the recommendation of the ADC that if a furlough request is sent to the court, that the Judge initial and return the furlough request without action to the ADC for determination consistent with ADC rules and policies.

Furloughs allowed at the Work Release Facility could vary from those granted from the ADC due to the different classification of the detainees in the Work Release Facility.

Attachment 2

Dear Judge Buyendorp and all-

Corrections Agent Tami Mueller brought to my attention this morning the fact that while samples taken from persons subject to testing may test positive on the field test and basic urine tests for a controlled substance, subsequent, more thorough testing at a lab will show no presence of that substance, because the person has used one of the synthetic drugs such as K2, plant food and bath salts, etc. The Court has been requiring as a condition of release or probation that persons not use intoxicating substances or synthetic drugs, but as Ms. Mueller has identified, there is a problem with having a test (and a practical, cost effective test) that can be used to support a finding that the person has used a synthetic drug. When these drugs become illegal on July 1st, we will need a test for law enforcement and probation to use as well as reliable subsequent lab testing.

I am asking that the Courts Committee agenda include a brief discussion on this issue with a proposal that we appoint a small workgroup to do a timely survey/investigation of what testing is available for synthetic drugs and that the work group come back to the committee with recommendations on testing protocols/policy for the court to consider for adoption. If anyone knows of any testing that is being done that successfully reveals the presence of synthetics, please chime in and share that information.

Thank you. Karin

Next meeting will be held on July 21, 2011

**WINONA COUNTY JAIL
POLICIES AND PROCEDURES**

SUBJECT: Furlough Request Policy 11.26	EFFECTIVE DATE REVIEWED: 04/10/2008
DISTRIBUTION: All Authorized Manuals	PAGE: 1 OF 2
<hr/> WINONA COUNTY SHERIFF	<hr/> JAIL ADMINISTRATOR

POLICY:

To provide a consistent method for the communication and supervision between inmates, in the Winona County Jail, requesting a furlough, WCDC Jail Staff, The Courts, and the Prosecuting Authority.

CONSIDERATIONS FOR FURLOUGH:

- Death or serious illness in family
- Childbirth

PROCEDURE:

- **ALL REQUESTS FOR A FURLOUGH/ TEMPORARY RELEASE REQUEST SHALL BE FILLED OUT COMPLETELY AND DIRECTED TO THE PROGRAM COORDINATOR OR HIS DESIGNEE IN WRITING.**
- **THE PROGRAM COORDINATOR WILL REVIEW THE REQUEST ALONG WITH WCDC STAFF. YOUR BEHAVIOR AND ATTITUDE WHILE YOU HAVE BEEN IN THE WCDC WILL BE CONSIDERED.**
- **AFTER THE PROGRAM COORDINATOR, OTHER THAN A HOLIDAY RELEASE FURLOUGH FOR HUBER RELEASE INMATES, REVIEWS THE APPLICATION FOR FURLOUGH/TEMPORARY RELEASE FORM WILL BE**

SENT TO THE PROSECUTING AUTHORITY AND JUDGE FOR FINAL CONSIDERATION.

- **IF THE FURLOUGH IS GRANTED THE REQUESTING INMATES SHALL SIGN A FURLOUGH CONTRACT (See policy 11.07 furlough contract) PRIOR TO BEING RELEASED ON THE FURLOUGH.**

APPLICATION FOR TEMPORARY RELEASE/FURLOUGH FROM WINONA COUNTY DETENTION CENTER (WCDC)

Name of inmate requesting Furlough/Temp Release:	Date and Time of Furlough/Temp Release Start time (leave the jail):
Purpose of Furlough/Temp Release request:	Date and time of furlough/Temp Release Finish time (return to jail):
Name of person picking you up from WCDC for furlough/temp release:	All phone numbers you can be reached at during your furlough/Temp release:
Name of person returning you to WCDC from furlough/Temp release:	

ALL REQUESTS FOR A FURLOUGH/ TEMPORARY RELEASE REQUEST SHALL BE FILLED OUT COMPLETELY AND DIRECTED TO THE PROGRAM COORDINATOR OR HIS DESIGNEE IN WRITING. THE PROGRAM COORDINATOR WILL REVIEW THE REQUEST ALONG WITH WCDC STAFF. YOUR BEHAVIOR AND ATTITUDE WHILE YOU HAVE BEEN IN THE WCDC WILL BE CONSIDERED. AFTER THE PROGRAM COORDINATOR, OTHER THAN A HOLIDAY RELEASE FURLOUGH FOR HUBER RELEASE INMATES, REVIEWS THE APPLICATION FOR FURLOUGH/TEMPORARY RELEASE IT WILL BE SENT TO THE PROSECUTING AUTHORITY AND JUDGE FOR FINAL CONSIDERATION.

Conditions of Furlough/Temp Release include the following: 1) Remain Law Abiding. 2) Abide by conditions of sentence. 3) Remain at designated site of furlough/Temporary Release. 4) Restrict your activity to the purpose of the furlough. 5) Return on time from the furlough/Temporary Release to the WCDC.

6) No use of alcohol or non-prescription drugs.

FAILURE TO RETURN TO THE WINONA COUNTY DETENTION CENTER (WCDC) AS SCHEDULED WILL BE CONSIDERED AN ESCAPE FROM WCDC AND YOU MAY BE CHARGED WITH A NEW OFFENSE.

OTHER THAN A HOLIDAY RELEASE, A FURLOUGH/TEMP RELEASE EXTENDS THE SENTENCE BY THE AMOUNT OF FURLOUGHED TIME.

IF A FURLOUGH IS GRANTED ALL INMATES MUST SIGN A FURLOUGH CONTRACT, (See Policy 11.07 Furlough Contract.)



CJCC COURTS COMMITTEE AGENDA

July 21, 2011 at 8:00 AM


PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **CHIPS Timelines Review** – Julie Thompson, Lynne Caldwell and Renee Rumpca

- **ITV for jail purposes** – Kalene Engel and Steve Buswell

- **LETG software (Discovery Workgroup)** – Tom Williams

- **DOC questions regarding scheduling of interstate cases and victim information on no contact orders** – Tami Mueller

Next meeting August 18, 2011

CJCC COURTS COMMITTEE MEETING
July 21, 2011

Present:

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Judge Buytendorp | <input type="checkbox"/> Judge Thompson | <input type="checkbox"/> Judge Leahy | <input type="checkbox"/> Karin Sonneman |
| <input type="checkbox"/> Michael Flaherty | <input type="checkbox"/> Kalene Engel | <input checked="" type="checkbox"/> Carmaine Sturino | <input checked="" type="checkbox"/> Sally Cumiskey |
| <input type="checkbox"/> Chris Ledebuhr | <input checked="" type="checkbox"/> JP Plachecki | <input type="checkbox"/> Rich McCluer | <input type="checkbox"/> Kurt Knuesel |
| <input checked="" type="checkbox"/> Tom Williams | <input checked="" type="checkbox"/> Lynne Caldwell | <input checked="" type="checkbox"/> Sue Smelser | <input type="checkbox"/> Marsha Metzler |
| <input checked="" type="checkbox"/> Renee Rumpca | <input checked="" type="checkbox"/> Stephanie Nuttall | <input type="checkbox"/> Judy Gilow | <input type="checkbox"/> Sherri Brekke |
| <input type="checkbox"/> Steve Buswell | <input checked="" type="checkbox"/> Julie Thompson | <input type="checkbox"/> Lori Larson | <input checked="" type="checkbox"/> Rena' Patterson |
| <input type="checkbox"/> Aarah Saugen | <input type="checkbox"/> Bruce Nelson | <input checked="" type="checkbox"/> Tami Mueller | <input type="checkbox"/> Justin Green |
| <input checked="" type="checkbox"/> Ron Ganrude | <input checked="" type="checkbox"/> Mike Peterson | <input checked="" type="checkbox"/> Katie Johnson | <input type="checkbox"/> |

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

The meetings are held the third Thursday of every month at 8:00 a.m. in the jury room adjacent to Courtroom 2. The next regular meeting will be held on Thursday, August 18, 2011.

Discussion:

CHIPS TIMELINES REVIEW: There is a permanency committee that meets once a month. They are watching our out of home cases very closely. These are the cases for CHIPS matters and DOC cases where the juvenile is out of home. One thing we are watching is, we need to start holding and coding properly the permanency progress review hearings. On the delinquency cases, the DOC sends an e-mail to the county attorney's office stating the juvenile needs a permanency progress review hearing. Then the county attorney's office will have to make that request of the court to get it scheduled. Some timelines in chips cases can be extended but others cannot. That's why it's important for us to monitor these cases closely.

Right now there is a large volume of cases out there. This is in part due to the problem Winona is facing with synthetic drugs. Many children placed in protection are young children under the age of 10. Those cases with younger children have shorter timelines that need to be followed.

ITV FOR JAIL PURPOSES: Discussions are still taking place on this issue but no decisions have been made. We will put this on the agenda for September's meeting.

LETG SOFTWARE (DISCOVERY WORKGROUP): The discovery workgroup is still looking at the LETG software. This software would help streamline law enforcement, prosecution and defense. At the last presentation, not all the agencies were represented. We are hoping to hold another presentation with all parties involved. Some examples of what would be attached to the files with this software is: interviews, police reports, pictures and lab reports. When information is added to the file, e-mails are generated to the appropriate parties stating what has now been added to file and is now accessible to view. Everything added to the file is time and date stamped. Right now they would not be able to attach the squad videos to the files.

After the next meeting with LETG and all agencies, they will go over in more detail the cost of implementing and what the costs to all the agencies would be. The ballpark figure for now is \$350,000. LETG is also looking at grants for us to see what would be available to help assist in our costs. Integration of this system could possibly be around 6-8 months.

Another thing for this committee to think about is, if they go with LETG will they start fresh and just go from current day forward. Or would they want to enter in data from previous cases filed. To enter previous cases and documents would add to the time and cost of the program.

This program would also allow officers, in their squads, to get notification if there are warrants or civil process filing that's needed. The officers would get the appropriate alert and then have the capabilities of printing the documents right there in the squad. They then could serve the individuals or review the orders for protection to see if violation etc.

This program is also efficient. Since this information gets passed to agencies less data entry is being made resulting in fewer entry errors.

Tom Williams will keep us updated.

DOC QUESTIONS REGARDING SCHEDULING OF INTERSTATE CASES AND VICTIM INFORMATION ON NO CONTACT ORDERS: First we discussed the victim information problem they are facing with no contact orders. The problem that's occurring is the police officers don't have the information on who the victim is. Therefore, they are calling the DOC agents. If not at work, DOC cannot always remember the victims names. The question we are facing is, is there a way to have this victim's name accessible to agencies. There is a data privacy concern which Stephanie Nuttall will check into. Dispatch could check into it but when you have a defendant with multiple files, they will not know which file to look into to get that information.

Stephanie and Tami will check into this further and we will discuss again at next month's meeting.

The next subject was the scheduling of interstate cases. DOC is running into problems where defendants are pleading and then going to their office to process all the paperwork necessary for interstate. The problem is, DOC has a lot of paperwork and verifications that are needed before letting these individuals leave Minnesota. If these individuals don't have court until mid/late afternoon, there is not always enough time to get this paperwork done before the close of the work day.


Right now, all agencies whether it's attorneys, Judge's or agents, we will all have to work together and try to make a notable effort to see if these defendants are from Minnesota or elsewhere. If we notice it in time, we will reschedule earlier in day if possible.

Tami will watch for this and we will have this put on the September agenda.



AUGUST AGENDA:

- Jail Review Panel for Furlough, STS requests – Kalene Engel
- Testing for Synthetic Drugs – Karin Sonneman
- Drug Court update – Karin Sonneman
- Victim information on no contact orders – Stephanie Nuttall and Tami Mueller



Next meeting to be held on August 18, 2011 8:00 AM

CJCC COURTS COMMITTEE AGENDA

August 18, 2011 at 8:00 AM

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **Review and approval of July meeting minutes**
- **Jail Review Panel for Furlough, STS requests – Kalene Engel**
- **Testing for Synthetic Drugs – Karin Sonneman**
- **Drug Court Update – Karin Sonneman**
- **Victim information on no contact orders – Stephanie Nuttall and
Tami Mueller**
- **Who is responsible to notify the Sheriff's Department on court
dates with regards to transport arrangements – Carmaine Sturino**
- **Jail Furlough/Jail Transport - Justin Green and Kalene Engel**
- **Notice on time needed for sentencing - Judge**

Next meeting September 15, 2011

CJCC COURTS COMMITTEE MEETING

August 18, 2011

Present:

- | | | | |
|---|---|--|---|
| <input checked="" type="checkbox"/> Judge Buytendorp | <input type="checkbox"/> Judge Thompson | <input type="checkbox"/> Judge Leahy | <input type="checkbox"/> Karin Sonneman |
| <input checked="" type="checkbox"/> Michael Flaherty | <input checked="" type="checkbox"/> Kalene Engel | <input checked="" type="checkbox"/> Carmaine Sturino | <input type="checkbox"/> Sally Cumiskey |
| <input checked="" type="checkbox"/> Chris Ledebuhr | <input checked="" type="checkbox"/> JP Plachecki | <input type="checkbox"/> Rich McCluer | <input checked="" type="checkbox"/> Kurt Knuesel |
| <input type="checkbox"/> Tom Williams | <input checked="" type="checkbox"/> Lynne Caldwell | <input checked="" type="checkbox"/> Sue Smelser | <input checked="" type="checkbox"/> Marsha Metzler |
| <input type="checkbox"/> Renee Rumpca | <input checked="" type="checkbox"/> Stephanie Nuttall | <input type="checkbox"/> Judy Gilow | <input checked="" type="checkbox"/> Sherri Brekke |
| <input type="checkbox"/> Steve Buswell | <input type="checkbox"/> Julie Thompson | <input type="checkbox"/> Lori Larson | <input checked="" type="checkbox"/> Rena' Patterson |
| <input type="checkbox"/> Aarah Saugen | <input type="checkbox"/> Bruce Nelson | <input type="checkbox"/> Tami Mueller | <input checked="" type="checkbox"/> Justin Green |
| | | | |
| <input checked="" type="checkbox"/> Christina Davenport | <input checked="" type="checkbox"/> Doug Stokes | | |

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

The meetings are held the third Thursday of every month at 8:00 a.m. in the jury room adjacent to Courtroom 2. The next regular meeting will be held on Thursday, September 15, 2011.

Discussion:

Review and approval of July meeting minutes.

Jail Review Panel for Furlough, STS requests – Kalene Engel and Justin Green

We discussed a few areas of concern in regards to furloughs and who is financially responsible and how we wanted to handle the furlough requests that are made. The group decided to have the jail committee put together a proposed policy for this committee to review and approve. Justin will take that back to the committee to get that started.

Who is responsible to notify the Sheriff's Department on court dates with regards to transport arrangements - Carmaine Sturino

Concerns were brought up about how the communication works with defendants that are furloughed and the need for them to come back for hearings. A workgroup will be developed to discuss this concern. We will put this on the agenda for our October meeting.

Testing for synthetic drugs – Christina Davenport

We still do not have a field test kit that works for all the synthetic drugs nor do we have a urine test kit that can give us immediate results. Tests are still under review. It may be a while yet before something is in place.

Drug Court update – Judge Buytendorp

The planning workgroup did meet this week regarding the start up of drug court. This will be a post conviction drug court in Winona. The workgroup will be meeting monthly until we get this program up and running smoothly.

Victim information on no contact orders – Stephanie Nuttall

The concern being brought up is that when conditions of probation or release include no contact with the (alleged) victim, law enforcement often does not know the identification of the (alleged) victim. There are a lot of rules and regulations with regards to keeping the identification of victims confidential. Stephanie is still sorting through the volumes of information on this issue. The committee questioned if this could be something that Cami O'Laughlin, the victim's advocate, could help monitor. Stephanie will talk to Karin about this issue.

Notice on time needed for sentencing – Judge Buytendorp

Recently we have had two sentencing hearings that have gone very late. The Judge's are asking the attorneys to keep Court Administration advised as to what the expectations are for completing a longer sentencing hearing. If you know you have testimony and experts or victims to speak, let the clerks know so that we can make sure there is ample time on the calendar.

Next meeting: September 15th at 8 a.m.

September agenda:

- **ITV for jail purposes – Kalene Engel and Steve Buswell**

- **DOC scheduling of interstate cases – Tami Mueller**

CJCC COURTS COMMITTEE AGENDA

September 15, 2011 at 8:00 AM

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **Review and approval of July meeting minutes**
- **ITV for jail purposes – Kalene Engel and Steve Buswell -**
- **DOC scheduling of interstate cases – Tami Mueller**
- **Plea Policy – Judge Buytendorp/Judge Thompson**
- **Strategic Planning – Kalene Engel**
- **Non Cash Bond Forfeitures – Sue Smelser/Sally Cumiskey**
- **Strategic Planning – Judge Buytendorp (Review and evaluation of past goals and accomplishments, review of committee charge to determine what is in the charge that has not been addressed and determination of future goals)**

Next meeting October 20, 2011

CJCC COURTS COMMITTEE MEETING
September 15, 2011

Present:

- | | | | |
|--|--|--|--|
| <input checked="" type="checkbox"/> Judge Buytendorp | <input type="checkbox"/> Judge Thompson | <input type="checkbox"/> Judge Leahy | <input checked="" type="checkbox"/> Karin Sonneman |
| <input checked="" type="checkbox"/> Michael Flaherty | <input checked="" type="checkbox"/> Kalene Engel | <input checked="" type="checkbox"/> Carmaine Sturino | <input type="checkbox"/> Sally Cumiskey |
| <input checked="" type="checkbox"/> Chris Ledebuhr | <input checked="" type="checkbox"/> JP Plachecki | <input type="checkbox"/> Rich McCluer | <input checked="" type="checkbox"/> Kurt Knuesel |
| <input type="checkbox"/> Tom Williams | <input checked="" type="checkbox"/> Lynne Caldwell | <input type="checkbox"/> Sue Smelser | <input checked="" type="checkbox"/> Marsha Metzler |
| <input type="checkbox"/> Renee Rumpca | <input type="checkbox"/> Stephanie Nuttall | <input type="checkbox"/> Judy Gilow | <input type="checkbox"/> Sherri Brekke |
| <input type="checkbox"/> Steve Buswell | <input type="checkbox"/> Julie Thompson | <input checked="" type="checkbox"/> Lori Larson | <input type="checkbox"/> Rena' Patterson |
| <input type="checkbox"/> Aarah Saugen | <input type="checkbox"/> Bruce Nelson | <input checked="" type="checkbox"/> Tami Mueller | <input type="checkbox"/> Justin Green |
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| <input checked="" type="checkbox"/> Nelson Rhodus | | | |

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

The meetings are held the third Thursday of every month at 8:00 a.m. in the jury room adjacent to Courtroom 2. The next regular meeting will be held on Thursday, October 20, 2011.

Discussion:

Minutes from the August 2011 meeting, approved.

ITV JAIL PURPOSES: Kalene – We don't have much for updates at this time. Our committee will have to wait until we get an update from the jail committee meeting. We will put this on the agenda for November.

NEW EMPLOYEE FOR COUNTY ATTORNEY'S OFFICE: Karin Sonneman introduced their new Assistant County Attorney, Nelson Rhodus.

DOC SCHEDULING INTERSTATE CASES: Tami Mueller – There have been no issues since the last time this was addressed. She will keep us updated if any problems come up.

PLEA POLICY: Karin – Court Administration has been trying to help squeeze in last minute plea hearings before jury trial blocks. It is helping. There are still attorney concerns regarding the proposed plea policy. The judges will continue to consider the concerns expressed by the attorneys.

STRATEGIC PLANNING: Kalene – The three big goals the Court's Committee is working on is: e-charging/e-filing, substance abuse court and discovery exchange.

E-charging/e-filing: November 14 Prosecutor date, November 15 Law Enforcement date, and November 16 Court Admin date.

We also will continue open discussions and cooperation between all agencies.

OTHER

Karin Sonneman stated that they are working on improving the victim notification process. This is being worked on through blueprint for safety.

Meeting adjourned

CJCC COURTS COMMITTEE AGENDA

October 20, 2011 at 8:00 AM

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **Review and approval of September meeting minutes**
- **Review the jail transport issue regarding furloughs to treatment – Carmaine Sturino**
- **Substance Abuse Court Update – Kalene**
- **Non Cash Bond – Sue Smelser/Sally Cumiskey**
- **In Custody Appearances – Jail/Tonya**
- **Public Defender Screening Process – Sally Cumiskey**
- **Update on courthouse soundproofing – Sally Cumiskey**
- **E-charging countdown, how's training going – Sally Cumiskey**

Next meeting November 17, 2011

CJCC COURTS COMMITTEE MEETING
October 20, 2011

Present:

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Judge Buytendorp | <input type="checkbox"/> Judge Thompson | <input type="checkbox"/> Judge Leahy | <input checked="" type="checkbox"/> Karin Sonneman |
| <input checked="" type="checkbox"/> Michael Flaherty | <input checked="" type="checkbox"/> Kalene Engel | <input checked="" type="checkbox"/> Carmaine Sturino | <input checked="" type="checkbox"/> Sally Cumiskey |
| <input checked="" type="checkbox"/> Chris Ledebuhr | <input checked="" type="checkbox"/> JP Plachecki | <input type="checkbox"/> Rich McCluer | <input type="checkbox"/> Kurt Knuesel |
| <input type="checkbox"/> Tom Williams | <input checked="" type="checkbox"/> Lynne Caldwell | <input checked="" type="checkbox"/> Sue Smelser | <input checked="" type="checkbox"/> Marsha Metzler |
| <input type="checkbox"/> Renee Rumpca | <input checked="" type="checkbox"/> Stephanie Nuttall | <input type="checkbox"/> Judy Gilow | <input checked="" type="checkbox"/> Sherri Brekke |
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| <input type="checkbox"/> Aarah Saugen | <input type="checkbox"/> Bruce Nelson | <input checked="" type="checkbox"/> Tami Mueller | <input type="checkbox"/> Justin Green |
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| <input checked="" type="checkbox"/> Doug Stokes | <input checked="" type="checkbox"/> Tonya | | |

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

The meetings are held the third Thursday of every month at 8:00 a.m. in the jury room adjacent to Courtroom 2. The next regular meeting will be held on Thursday, November 17, 2011.

Discussion:

Review and approval of the September meeting minutes.

REVIEW THE JAIL TRANSPORT ISSUE REGARDING FURLOUGHS TO TREATMENT:

Carmaine – The jail workgroup is working on this issue. The workgroup is putting together language for orders for specific furlough requests and transports. The workgroup will propose that language to this committee for review. A Judge may attend the next jail workgroup meeting to help with input. Kalene suggests that we put this on the list for the pre trial justice institute to review. We will review this at the December meeting.

SUBSTANCE ABUSE COURT UPDATE: **Kalene** – Kalene submitted the application for our training grant. The substance abuse committee will not meet again until after we hear whether the grant is approved. Kalene will continue to update us on that status. Again the training, if approved, would be held any time late February - April 2012. When we receive information on the grant, Kalene will schedule a meeting to finalize the team members that are needed.

NON CASH BOND: **Sue** – The court needs to address the status of a forfeited bond after a defendant makes an appearance. (i.e. whether the bond will remain forfeited or reinstated) The judges will address this at their next meeting. Kalene also recommended that we have the pre trial justice institute review this procedure.

IN CUSTODY APPEARANCES: **Tonya** - Tonya from the blueprint for safety committee discussed our in custody appearances for domestic assault cases. The blueprint for safety is trying to coordinate a procedure for parties to have the most information as possible on these domestic cases before they go into court. The committee is inquiring whether it's possible to have any in custody domestic violence cases heard in the afternoon rather than at the 11:00

first appearances. The change in time would give the different departments time to gather more information on the particular case. Sally Cumiskey did check with other counties in our district and the consensus for all the counties is that first appearances are held anytime between 10:30 am – noon. This is another issue that may be good for the pre trial justice institute to review. We will put this on next month's agenda.

UPDATE ON COURTHOUSE SOUNDPROOFING: Sally – The soundproofing is going well. They are very close to completion. Hopefully, in another month or two this project will be completed.

E-CHARGING COUNTDOWN: Sally – We are on schedule and doing well leading into the e-charging. The training and "go live" is November 14-16. The terminology used for e-charging is a little different.

Next meeting: November 17, 2011 at 8 a.m.

November agenda:

- Jail Review Panel for Furlough, STS requests – Kalene Engel
- In custody appearances on domestic violence cases - Tonya

CJCC COURTS COMMITTEE MEETING
November 17, 2011

Present:

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Judge Buytendorp | <input type="checkbox"/> Judge Thompson | <input type="checkbox"/> Judge Leahy | <input type="checkbox"/> Karin Sonneman |
| <input type="checkbox"/> Michael Flaherty | <input type="checkbox"/> Kalene Engel | <input type="checkbox"/> Carmaine Sturino | <input type="checkbox"/> Sally Cumiskey |
| <input type="checkbox"/> Chris Ledebuhr | <input type="checkbox"/> JP Plachecki | <input type="checkbox"/> Rich McCluer | <input type="checkbox"/> Kurt Knuesel |
| <input type="checkbox"/> Tom Williams | <input type="checkbox"/> Lynne Caldwell | <input type="checkbox"/> Sue Smelser | <input type="checkbox"/> Marsha Metzler |
| <input type="checkbox"/> Renee Rumpca | <input type="checkbox"/> Stephanie Nuttall | <input type="checkbox"/> Judy Gilow | <input type="checkbox"/> Sherri Brekke |
| <input type="checkbox"/> Steve Buswell | <input type="checkbox"/> Julie Thompson | <input type="checkbox"/> Lori Larson | <input type="checkbox"/> Rena' Patterson |
| <input type="checkbox"/> Aarah Saugen | <input type="checkbox"/> Bruce Nelson | <input type="checkbox"/> Tami Mueller | <input type="checkbox"/> Justin Green |
| <input type="checkbox"/> Doug Stokes | <input type="checkbox"/> Tonya | | |
-

The November Courts Committee Meeting was postponed until the December 15, 2011 meeting.

Next meeting: December 15, 2011 at 8 a.m.

December agenda:

CJCC COURTS COMMITTEE AGENDA

December 15, 2011 at 8:00 AM

PLEASE NOTE: This meeting will be held in Courtroom 2 Jury Room.

- **Review and approval of October meeting minutes**

- **Jail Transports – Carmaine Sturino**

- **In custody appearances/domestic violence cases: Tonya and
Stephanie Nuttall**

- **Substance Abuse Court Update: Kalene Engel**

Next meeting January 19, 2011

CJCC COURTS COMMITTEE MEETING

December 15, 2011

Present:

<input checked="" type="checkbox"/> Judge Buytendorp	<input type="checkbox"/> Judge Thompson	<input type="checkbox"/> Judge Leahy	<input checked="" type="checkbox"/> Karin Sonneman
<input checked="" type="checkbox"/> Michael Flaherty	<input checked="" type="checkbox"/> Kalene Engel	<input checked="" type="checkbox"/> Carmaine Sturino	<input type="checkbox"/> Sally Cumiskey
<input type="checkbox"/> Chris Ledebuhr	<input checked="" type="checkbox"/> JP Plachecki	<input type="checkbox"/> Rich McCluer	<input type="checkbox"/> Kurt Knuesel
<input type="checkbox"/> Tom Williams	<input checked="" type="checkbox"/> Lynne Caldwell	<input checked="" type="checkbox"/> Sue Smelser	<input checked="" type="checkbox"/> Marsha Metzler
<input type="checkbox"/> Renee Rumpca	<input type="checkbox"/> Stephanie Nuttall	<input type="checkbox"/> Judy Gilow	<input type="checkbox"/> Sherri Brekke
<input type="checkbox"/> Steve Buswell	<input type="checkbox"/> Julie Thompson	<input checked="" type="checkbox"/> Lori Larson	<input type="checkbox"/> Rena' Patterson
<input type="checkbox"/> Aarah Saugen	<input type="checkbox"/> Bruce Nelson	<input type="checkbox"/> Tami Mueller	<input type="checkbox"/> Justin Green

Purpose: The Courts Committee will search for strategies and procedures that will enable the courts to function more effectively and at reasonable cost to the taxpayer while upholding due process and the rule of law.

The meetings are held the third Thursday of every month at 8:00 a.m. in the jury room adjacent to Courtroom 2. The next regular meeting will be held on Thursday, January 19, 2012.

Discussion:

Review and approval of the October meeting minutes.

In custody appearances/domestic violence cases: Tonya contacted the Judge and there is no new update for this month.

Jail Transports: Carmaine updated the committee on the progress made regarding jail transports. There has been a form created that the Judge's will use. If the attorney is requesting furlough by letter, they are to submit the letter with the form filled out so that the Judge only has to sign the order for approval. Court Administration will send out appropriate copies to the parties in the case. If copies are needed for the Rule 25 evaluator, the County Attorney's office will copy them on it.

Substance Abuse Court Update: Kalene confirmed that our Substance Abuse team is registered for training March 19-23, 2012. There were 39 applications and 20 slots available and we were selected for the group to meet in Philadelphia. Attendees were given homework in preparation of the training. Eight team members are scheduled for this training.

E-charging: Karin stated that the e-charging is going very well. We still have issues to iron out with the police department sending the county attorney's office the cases. For right now, the police department is just sending the information to the county attorney's office and they are forwarding it on to the courts via e-charging.

Understanding Mental Health and Chemical Dependency Treatment Options: Kalene Engel notified the committee that David Holewinski will be speaking at a CJCC event on Tuesday, January 24th at 12:00 regarding services provided through the VA and VJO for veterans in the justice system.

Next meeting: January 19, 2012 at 8 a.m.