

Criminal Justice Coordinating Council (CJCC)

April 17, 2014

8:00 a.m.

VM-CCCU-CC

CJCC Members Present (7): John Mauro, Judge Gamble, Angela Connolly, Bill McCarthy, Lynn Ferrell, Marilyn Lantz, Valorie Wilson.

CJCC Members Absent (4): John Sarcone, Judy Bradshaw, Sally Kreamer, Gary Mikulec.

CJCC Coordinator (1): Gary Sherzan

Others Present: Doug Phillips, Mark Wandro, Candy Morgan, Karen Walters-Crammond, Frank Marasco, Teri Sommerlot, Dave Higdon, Karen Walters-Crammond, Max Knauer, Marty Ryan, Teresa Baumhoff, Jennifer Miner, James Cornick, Bob Glass, Jean Basinger, Cynthia Stuart-Bishop, Latrice Lacey, Betty Andrews, Curt Pion, Clifford Leonard

Approval of the February 13, 2014, Minutes

Moved by McCarthy, Seconded by Connolly to approve the February 13, 2014, minutes.

I-Leads Committee Update – Frank Marasco (handout)

There has been nothing out of the ordinary on the numbers recently; they remain fairly consistent. Frank touched on Sunday Jail Court, which has had a huge positive impact on operational efficiency, and has been very well received by staff. He will wait and report on the numbers after the summer months, but he already sees them cut in half. Normally, on a Monday morning there could be 90-100 individuals waiting to see a judge; since Sunday Jail Court began, the numbers have dropped to 40-50.

Average Daily Population (ADP) In-Facility- as of Monday, 4/14/14, was 921. The different groups making up that number remain consistent.

Bookings and Releases By Year – Both are at just over 4400 (4,411 Bookings and 4,421 Releases) keeping the ADP at a very manageable number. This is vital as they head into warmer weather months, when the numbers tend to rise.

Bookings and Releases by Month – For March 2014, there were 1,589 Bookings and 1,603 Releases. Over the 4-month period from December 2013 – March 2014, there were 5,712 people booked into the facility, and 5,720 people released. This is a -5.98% decrease in bookings, and a -5.63% decrease in releases over the same period in 2012-2013.

Average Length of Stay – 20 days for 2014.

Jail Bookings by Agency –Overall, there has been a 6% reduction in Bookings. However, the Polk County Sheriff's Office has had 577 Bookings at the Polk County Courthouse so far in 2014. This is a 16% increase over the same period last year.

(1)

Pretrial Release – Teri Sommerlot (handout)

Very little change month to month; that held true in March.

For March, in the lowest level of supervision, there were 226 defendants out in the program for 1-30 days—a possible 5,264 jail bed days had they remained in jail. In the other two supervised release programs, there were 34 defendants out for 1-30 days—a possible 748 jail bed days. There were 14 revocations.

Post-Booking Jail Diversion Program and Community Support – Dave Higdon

Echoing Frank and Teri, there is not much change in the numbers. Dave called attention to several slides in his handout—*Page 1, Slide 2* shows ‘Persons served by Jail Diversion’. This number has been trending upward over the last 3 months, but over the last two years the numbers have stayed fairly constant overall. *Page 2, Slide 4* shows ‘Average Length of Stay for People Connected and Not Connected to Mental Health Services’. Over time, the gap between the two lines is increasing. This demonstrates the importance of being connected, and having someone in the jail that can identify who is connected, and who is not. The people that are not voluntarily engaging in the system are likely to spend more time in jail than are the people that are connected to services. *Page 4, Slide 8* shows the number of people that have been served by Eyerly-Ball’s ‘Community Support’ staff to attempt to get them connected to services such as benefits, a service provider, etc., and therefore, hopefully get them out of jail more quickly. The last three months have trended upward after a turnover in staff from August through November caused the numbers to decrease. They are hoping to add an additional position in the next fiscal year in order to increase the number of people connected to the system.

Bridges Substance Abuse Treatment Program – Tom Jackowski

Bridges currently has 107 clients in their program—77 men and 30 women (6 women over what they had budgeted for). In March, there were 32 referrals, 10 admissions and 5 discharges. The waiting list is now into July. There were only 2 women discharged over a 90 day period, putting the average at 35-40%; the national average is about 50% for a long-term program. It is required that they maintain 10-13 beds for relapse and after-care. The last after-care wing was just opened.

On April 1, 10 clients graduated from the program, including an inaugural group of 3 women, who have agreed to stay on as Resident Assistant’s to provide support for other women coming into the program.

Angela Connolly asked Tom if he has any insight as to why the women are slower getting out? Tom replied that they can’t really measure that yet because of the length of time. He suspects that it may be that the ‘Trauma Informed Care’ curriculum provides a great deal of support for the women. That program is going to be expanded, and a program for men is being developed.

St. Gregory’s Level 3.1 Treatment & Detox Program – The Jail Maintenance staff is finishing up work that needed to be done to the wing of the jail that will be used for the program. St. Gregory’s uses more computers and technology than Bridges so the area needed additional outlets, etc., to accommodate this. All equipment has been purchased (computers, beds, dressers, exercise equipment, etc.) and the program is expected to open May 1, with clients placed by May 12, 2014. Relationships have been formed with the health care providers, so it only takes about 24 hours to get individuals evaluated and signed up for health insurance, which all clients will have upon entrance into the program. The contract with Magellan has been executed, and they are waiting to get the signed contract returned from them.

Sheriff McCarthy expressed his appreciation for the implementation of these programs, the relationships between the jail, Bridges and St. Gregory’s, and to Angela Connolly, Tom Hockensmith and Doug Phillips for their involvement in making it happen.

Polk County Health Services – Lynn Ferrell (handout)

There are two opportunities for Polk County Health Services to do a better job of connecting people with mental health services when they are incarcerated: One is the Affordable Care Act (ACA); the other is the Development of the Sequential Intercept Model.

ACA—What is it?

- Extend health insurance to all through insurance “exchanges” with subsidies up to 400% of poverty level
- Medicaid for people with incomes < 138%
 - < 100% enrolled in Iowa Health Plan—“stripped down” Medicaid
 - 101-138% enrolled in Iowa Wellness Plan—insurance purchased through exchanges

---What does it mean for jails?

- Access to funding for treatment while in jail (maybe*)
 - *Feds have punted to states on defining coverage “pending disposition of charges”. It’s up to each state through their insurance regulations (or maybe even each insurance company) to decide whether insurance policies will exclude coverage during incarceration (Lynn has not heard yet how that will be dealt with in Iowa).
- Access to coverage for frequent users after discharge from jail. Help them sign up!
 - As a person with a mental illness is getting ready to be discharged, there is the opportunity to get them signed up for coverage, so that when they are released they will have access to treatment and medication.

Sequential Intercept Model—The Framework for Developing an Integrated Behavior Health Criminal

Justice System. [This model is everywhere someone with a mental illness may come into contact with the criminal justice system]. The chart on page 5 of the handout shows the different services available at the different levels of the system— **I. Law Enforcement/Emergency Services; II. Jail; III. Courts; IV. Re-Entry; V. Community** (In the chart, services in black type are already in place; services in red type are slated to start in FY 15).

Obviously, the ultimate intercept is best clinical practices with access to services. The ACA comes into play here, where by providing coverage, people have a greater ability to access treatment, services and continuity of care.

In level **I**, new services slated to be added include Crisis Observation (‘23 Hour’) and Stabilization Centers, Shelter Outreach, and KEYA House (a respite-type program). Level **II** will remain the same, with Jail Mental Health (Corizon) and Post-Booking Jail Diversion. There currently are no services available at level **III**. At level **IV**, Broadlawns is talking about adding a Co-Occurring Reentry Treatment Program for people with dual diagnoses. There are no new additions planned to level **V**.

While there is a lot coming on line in the next fiscal year, there are still some gaps. What has been learned from other communities is that the Intercept Model doesn’t necessarily save money, but that there are some cost avoidances. For instance, the Mobile Crisis Response Team (in Intercept level **I**) treated 626 people in the field; if those people had gone to jail, the cost would have been \$1,129,930; to the Emergency Room-- \$1,252,000; if admitted to hospital--\$6,760,800. If the 484 people that were taken to the hospital for treatment had been taken to jail, the cost to the criminal justice system would have been \$873,620. In Intercept levels **II & III**, the Post Booking Jail Diversion program had a cost avoidance of \$498,750 in reduced jail days for people already connected to the mental health system, and \$91,620 in jail days for people newly connected.

There are still some barriers to people with mental illness being released from jail more quickly, and there are those people that are reluctant to be engaged; they need an incentive to get treatment.

Grant Funding Opportunities--Gary Sherzan (handout)

Gary presented information regarding a Smart Pretrial Demonstration Initiative (SPDI) grant from the Pretrial Justice Institute (PJI) that was introduced by the Bureau of Justice Administration (BJA). The grant is \$100,000 for three years, and the deadline for applying is 11:59 p.m. eastern time on May 27, 2014.

Gary emphasized that this is not solely about pretrial release, but also about pretrial justice, i.e., who stays in jail, who gets out of jail, and how those determinations are made.

The initiative was started in May of 2011 at the Department of Justice (DOJ) Symposium with a list of recommendations that include

- ♦Expanding the use of citations by law enforcement
- ♦Prosecutors to review new charges before initial appearance
- ♦Defense representation at initial appearance
- ♦Training of judicial officers
- ♦Eliminate pre-set bond schedules and replace them with evidence-based assessment tools
- ♦Developing and implementing supervision strategies that match supervision levels with the identified risk levels of the defendant
- ♦Providing detention without bail as a statutory option for defendants posing unmanageable risks.

Goals and objectives--to test cost savings and public safety enhancements that can be achieved when jurisdictions move to a pretrial model that uses risk assessments to inform decision-making and employs improved risk management strategies (supervision and diversion).

Deliverables--BJA supported researcher will work with the sites selected to measure their pretrial outcomes and associated cost pretrial justice costs.

Key Elements—♦Immediate or early release of eligible arrestees, after positive identification and assessment of risk of flight and pretrial recidivism. ♦Screening of every booked defendant using a BJA-approved risk assessment tool. ♦Early review of charges by a seasoned prosecutor. ♦Presence of defense counsel at earliest hearing. ♦Release or detention of defendants is informed by the outcome of the risk assessment and adversarial hearing. ♦Use of court reminder protocols and risk-based supervision and/or diversion for released defendants. ♦If convicted, the transfer of information about the defendants pretrial supervision outcomes to the sentencing court, prosecutor, defense counsel, as well as any supervising authority.

The 3 Phases-- ♦Phase 1- Planning (Starting October 1, 2014 and anticipated to take a year). Phase 1 funding will be used to support a local SPDI coordinator who will staff the local policy team made up of different entities of law enforcement, justice system, etc. ♦Phase 2 – Implementation. Sites advance to Phase 2 based on quality of work and progress made during Phase 1. Sites must have approval prior to moving on to the implementation phase. ♦Phase 3 – Sustainability. Depending on the availability of funding, sites may be selected to advance to this phase based on the success of the work plan developed in Phase 1, and progress made during Phase 2 to codify agreements that allow for sustainability. (The charts in the handout outline what funding will be used for in each phase, what the policy team will do, what data is to be collected, training and research required, etc.).

Gary is asking for the approval, and the involvement, of the CJCC for the SPDI to get people safely out of jail, to provide the appropriate level of supervision, and to do what is necessary to keep them from going back to jail.

Bill McCarthy and Angela Connolly both voiced their support for applying for the grant. The SPDI is addressing what the CJCC stands for and has been working toward, but also that it is imperative that everyone is committed to making it work.

John Mauro, after not being on the CJCC Board for a couple of years, praised them for the job they have done, but also noted that there are still many people in jail that shouldn't be there. Having those people sitting in jail costs the taxpayers a lot of money; these are the same taxpayers that approved the building of the new Jail, and now the new Justice Center, and they expect to see some changes in the way things are done.

Judge Gamble expressed concern over the significant administrative challenges, and the labor and management issues for the governmental agencies that the initiative presents, but also noted that there is a year of planning time. He is willing to continue discussion about it.

Valorie Wilson questioned whether there would be defense counsel present at the initial appearance, and if so, who would pay for that? Right now, there are no attorney's there. The client usually doesn't have an attorney; they are appointed one at that time. She feels the possibility of having to have bond reviews or needing time to speak to clients at the initial appearance would slow the entire process down.

There may need to be some legislative changes made, and Angela Connolly feels it would be a benefit to have a legislator present at the CJCC meetings to hear the challenges that are faced by the agencies that are represented here.

Mauro entertained a motion on the grant; McCarthy moved; Connolly seconded; the motion was unanimously approved.

Open Discussion-- Sheriff McCarthy announced Doug Phillips' retirement at the end of the month. He praised him for the work he's done since he was brought in to the jail as Chief Jailer several years ago to help establish some organizational structure. Phillips commented that he's had a very good career and couldn't have scripted it better for himself. He feels there has been many positive changes at the jail, and that things are moving in the right direction. Tim Krumm will be replacing Phillips.

McCarthy also announced that Dave Knight, Assistant Jailer, is retiring at the end of the week, and thanked him for his service. He will be replaced by Cory Williams who was hired as a civilian through an initiative started by the County about 15 years ago. He is the first to step into a command position as a result of that program, and was the unanimous pick of McCarthy, Phillips and Knight.

Supervisor Connolly announced the retirement of Lynn Ferrell from Polk County Health Services at the end of the month. Throughout his career he has been dedicated to improving access to services for people with mental illness and disabilities.

Next Meeting Date-TBD

Meeting adjourned 9:10 a.m.