

**Criminal Justice Coordinating Council (CJCC)**  
**January 22, 2009 Minutes**  
**8:00 a.m.**  
**Hy-Vee Hall**

CJCC Members Present: Judge Arthur Gamble, Bill McCarthy, John Sarcone, John F. Mauro, Tom Hockensmith, Sally Kreamer, Valorie Wilson

CJCC Members Absent: Angela Connolly

Others Present: Captain Donna Brooks (Sheriff's Office), Becky Dewey, Sue Elliott, Ron Olson, Nancy Robinson, Anne Sheeley, Bill Vaughn, E.J.Giovannetti, Michael O'Meara

- I. Approval of the December 18 minutes.  
Moved by Hockensmith, Seconded by Wilson to approve the minutes as presented.
- II. Moved by Hockensmith, Seconded by McCarthy to nominate Angela Connolly as Chair for 2009 and Judge Gamble for Vice-Chairperson for 2009.
- III. Pre-Sentencing Investigation (PSI)  
Presented by - Sally Kreamer, Director, Fifth Judicial Department of Corrections  
PSI's currently takes about six weeks and is ordered by code on all felonies and some misdemeanor cases. If there is a fairly lengthy criminal history or mental health issues the six week timeframe is needed. Once ordered the PSI could be done in 2 to 5 days on those awaiting sentencing. They are looking at ways to speed up this process, although individuals with a criminal history or mental health issues will be hard to shorten. One suggestion was to have orders e-mailed. Forcible felonies and deferred judgments or plea agreements can be processed quicker.

An offender can ask to be sentenced without a PSI and that currently works well. There is a repeating of records check that could be change so only one records check is done. Valerie mentioned they get orders faxed. Sally said the e-mail orders seem to be more reliable. The Pre-sentencing Investigation Unit did some brainstorming. Those that are waiting for the jail to ship to Oakdale, the PSI's could be done later. Sally says the process is more streamlined compared to a year ago.

John Sarcone asked about time sentencing set by the court, which is six weeks. Part of the time issue is finding placements for clients. Judge Gamble said the court could prioritize and help speed things up. John Sarcone suggested identifying those with agreements, who are going to prison, and try to shorten that process.

Sally said they are working with Iowa Workforce Development to get access to their computer system for information, which could easily take two weeks off of the process. John Sarcone's office uses that computer system and he will try to help Correctional Services obtain access. Some judges waive the pre-sentencing hearings and clients with a plea agreement usually

waive the hearing. The focus would be on the group that is waiting for sentencing with no agreement. If clients have had a PSI since 2000, those move along quicker since they have previous information already in the system.

Judge Gamble suggests putting together protocol and timelines for the court attendants, judges and others. Sally will put this together, send to Wilson, Sarcone and Gamble and bring back to the CJCC. Anne Sheeley will work on this for Judge Gamble. Short form vs. long form PSIs were discussed, and suggestion made to use the short form for lower end felonies. Supervisor Hockensmith asked if Sally's office is the only office that does this, or can anyone on CJCC help. There is staff at Workforce Development that helps. Sally will put together a proposal that will include the short form PSI to Judge Gamble to talk to the judges and report back to the CJCC.

#### IV. Probation Violations/Revocation Hearings

Presented by - Nancy Robinson, Fifth Judicial Department of Corrections

There was discussion at the last meeting regarding the number of probation violators in jail. A lot of individuals where probation was revoked are serving time on their original sentence.

There are a lot of probation violations, probation revoked, etc and not quite sure how to streamline the process. If probation violations are revoked, it's a last resort and they go to jail. All means have been exhausted before asking for revocation. Jail time is sometimes needed to get their attention and get clients back on track (1 – 3 days). They are released and report to probation officer (misdemeanors). Felonies are in jail longer. Everyone is confident that everything is being done to keep them out of jail.

Judge Gamble stated that they come in to the system on probation violation and they really have other problems going on. They need evaluation, delay in the meantime they are in jail because there is no where else for them to be. Possibly focus resources on those that don't have new charges. New charges on felonies take around 90 days to process. Valorie says misdemeanor violators are the majority of her clients. She will talk to her attorneys and see if there is anything else that can be done to change this.

Supervisor Hockensmith asked have we done everything we can do consistent with probation violators? Sheriff McCarthy stated that it doesn't hurt to look at the status quo; I'm not prepared to say we have done the best we can.

Judge Gamble stated that technical violators versus new charges, we seem to spin our wheels on the new charges. We need to focus our resources on those without new charges. Valorie Wilson stated that it is the same process they just don't take as long, 10 days is enough. There is no issue with the felony timeframes that have been set. The bulk of the people in jail are misdemeanors. Valorie will talk with her lawyers to see if there are issues to address and make things better. Nancy Richardson stated that there is always more that we can do. Sally Kreamer stated that the statistics on those with mental health issues are reoccurring. Judge Gamble stated that this is significant piece of what we do. Once they are in jail they lose their Title 19. There are things we can do to improve.

V. Self-Arrest Program

Deputy Osborn is meeting with Judge Witt. The tentative date is the beginning of March and the location will probably be at court staging (the old jail) for processing and then send them over to the courthouse to resolve.

Statistical Analyst

Captain Brooks handed out some data for the CJCC's review (See handout for various stats) Valorie Wilson asked about the Oakdale wait. Captain Brooks stated that the wait for a bed at Oakdale could be one week to one month. Parole violators, probation, OWI. The Sheriff is going to check on payment from the state regarding these instances. The Sheriff is going to pull information on the 12 that are waiting to see what the issue is. There was a question on the 99 sentenced. Sally Kreamer stated that a sheet with definitions of the various categories would be helpful. Judge Gamble stated that he will share the information with Judge Moisan.

Web Conferencing

Installation will begin in February.

VI. Jail Population Reduction Initiative – Urban Institute

See handout.

Presented by Ron Olson, County Administrator

We have received a letter from the Urban Institute in Washington, D.C. asking Polk County to submit an application for a study to evaluate jail populations. They invited 24 local jurisdictions, they will select three as a study group. This is a first attempt at a study of local jails for evaluations. The attempt is to redirect resources to reduce jail populations. If Polk County participates, there is some commitment in the form of a half time person to coordinate with researchers. The benefit is we get an independent evaluation by experts and recommendations for improvements. There is no obligation to accept or apply the recommendations. CJCC needs to decide if they want to apply.

Sheriff mentioned that his concern is that public safety may not be their number one concern. Sally says there are differences in what we do vs. what they might recommend. The time commitment would be the coordination of the study group meeting and a half time person to work with the statistician. John Sarcone has concerns about the outcome and what they might want to do. Valorie is fine with submitted application. Supervisor Hockensmith is interested. Judge Gamble's concern is resources (budget and time).

Moved by Sheriff McCarthy, Seconded by Valorie Wilson to make application. All were in favor with John Sarcone, opposed. Ron Olson will work on sending application in by the February 9<sup>th</sup> deadline.

Next meeting is scheduled for February 26, 2009 at 8:00 a.m.