

**Criminal Justice Coordinating Council (CJCC)**  
**February 26, 2009 Minutes**  
**8:00 a.m.**  
**Hy-Vee Hall**

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

CJCC Members Absent: Angela Connolly, Bill McCarthy.

Other Present: Captain Donna Brooks, Sue Elliott, Bill Vaughn, E.J. Giovannetti, Ron Olson, Lynn Ferrell, Nancy Robinson, Becky Dewey, Max Knauer, Ann Sheeley, Rox Laird.

- I. Approval of January 22, 2009 minutes.  
Moved by Sarcone, Seconded by Hockensmith to approve the minutes as presented.

II. Pre-Sentencing Investigation (PSI) Protocol (Handout)

- a. Access to Workforce Development computer system for information

Sally is still working out the details on getting access to the Iowa Workforce Development computer system.

- b. Protocol and timelines (Pre-sentencing hearings with plea agreement)(Short form vs. long form PSI)

Nancy Robinson reviewed the pre-sentencing investigation protocol with council members (see handout for details). PSI's will be completed in four weeks if the charge is a forcible felony and a mandatory prison sentence applies or six weeks if the charge is a violent offense (non forcible felonies). Valorie asked about whether the PSI within four weeks would include suspended sentence. Sally stated that those cases would be within six weeks. Judge Gamble asked about the listing for six weeks, #3 on the protocol that the County Attorney follow the recommendation of the PSI. Nancy Robinson stated that was to make sure the full information needed was received. Sally said they would want a good review of the case with lots of information. Judge Gamble gave the protocol to several judges and they had no problems with it. The CJCC would have to recommend this protocol to the Courts to follow.

It was moved by Hockensmith, Seconded by Sarcone to recommend the use of the Presentencing Investigation Protocol. Unanimously approved by CJCC.

III. Probation Violations/Revocation Hearings Review and Update

Valorie gave an update on the waiting period for misdemeanor violators. Most attorneys agree that the probation officers (PO) give the violators several opportunities before they have to go to court. The attorneys would prefer to get in to court before there are several violations because then they have a better chance of not doing jail time. Tom asked if there was a policy or specific number of violations they had to have before going before a judge. Sally stated that

supervisors are going through revocation hearing training so they can be more consistent with the PO's. It's called progressive discipline. It's a new tool for PO's that measures the level of rapport built with offenders. Offenders do better if they have a good relationship with their PO. John asked about caseloads. Sally stated that the caseloads on misdemeanors are getting worse. Some judges are suggesting they pay a fine. John asked how much time they are given. Val stated that the clients don't get it until they have to do jail time. They can't follow the rules and the jail time gets their attention. Sally stated everyone needs to agree on procedures and be involved. They are making changes to avoid court because the response time is too slow and the court can't handle more work. Judge Gamble stated that the court has a finite time on their docket. Sally will bring back a matrix that will include daily reporting and length of stay based on risk with a recommendation to the CJCC within two months.

#### IV. Update from Sheriff McCarthy

##### a. Self Arrest

March 3<sup>rd</sup> is the first self arrest check in. Letters (155) went out on February 25<sup>th</sup>. The Public Defender and County Attorney will staff this. Val requested information on those who received the letter; Judge Witt is looking into this. Class "C" felonies are being asked to participate.

##### b. Statistical Analyst – handout of various statistics

###### i. Verification of payment from state for holding inmates awaiting placement at Oakdale

Supervisor Hockensmith asked about the inmate status 101 on the data provided. Captain Brooks stated that it could mean a number of things, the number in custody and sentenced somewhere. Supervisor Hockensmith asked about the number getting state sentenced before moved to a state correctional facility. Captain Brooks stated that they are working on identifying. Supervisor Hockensmith stated that we need to know how long they stay in our facility until they are moved. Valorie Wilson stated that it is not uncommon for them to sit at least a week. There was a question regarding whether or not the County gets reimbursed for those inmates. Sally Kreamer stated that there is a jam up at Oakdale. The classification system is causing a problem. Supervisor Hockensmith asked whose responsibility do they come under after sentenced to state facility. How many days?

###### ii. Web Conferencing – Still completing paperwork, then installation will begin. Public Defender can talk to their clients over the phone, where the client is in a Professional Business Room (court staging is at the old jail). The system is not set up for the Public Defender to talk to Correctional Services. The system is for each entity to talk with their client. Juvenile Public Defender and the private bar will have access at court staging.

#### V. Urban Institute

Ron Olson said the application was completed and submitted. They have received it and are considering the applications. It will be mid-March before we receive any feedback.

VI. Open Discussion

Sally said residents are moving from the OWI program to another building, this will impact the prison population. They are going from 67 beds to 80 treatment beds. There will be more staff to do treatment and programming. The cost savings will occur in not repairing the building. We will provide more staff to conduct the treatment program. The program will move from 10 months to 4 months and outpatient. Once we have the program up and running, we will look at adding a few slots for probationers.

John asked about the number of sex offenders at the Fort. Sally stated that there are 30; two or three have to be there on work release. Most are there because they are homeless.

The Governor's budget is recommending re-entry program for African Americans incarcerated. The Hispanic population also has a high rate of revocations. They are looking at ways to control this and do specific programming, if the budget gets funded.

John asked if there is anything being done in prisons to build a base entry treatment program (job skills, education, etc) for when offenders get out? There is some funds in part of the Governor's recommendations for life skills and after care programs.

Judge Gamble mentioned the judicial branch budget is looking bleak and that may affect the Courts ability to handle some programs that have been done in the past. He also mentioned the next furlough day could be in March with up to eight more by July 1<sup>st</sup>.

VII. Next meeting is scheduled for Thursday, March 26, 2009 (Note, the meeting was then rescheduled to April 9<sup>th</sup>).