

Criminal Justice Coordinating Council (CJCC)

March 31, 2011

8:00 a.m.

Hy-Vee Hall

CJCC Members present (10): Bill McCarthy, Sally Kreamer, Judge Gamble, John Sarcone, Valorie Wilson, Tom Hockensmith, John F. Mauro, Judy Bradshaw, Marilyn Lantz, Gary Mikulec

Others present: Tim Krum, Michael O’Meara, Ron Olson, Jan Sears, Dillon Kraft, Erin Lovejoy (DMPD), Doug Phillips, Linda Ford, Lynn Ferrell, Sue Elliott, Angela Connolly, E.J. Giovannetti, Anne Sheeley, Tony Tatman, Jake Hedgecock, Dave Zimmerman, Eleena Mitchell Jodke (Ombudsman), Harry Teel (EFR).

- I. Moved by Hockensmith, Seconded by Wilson to approve the February 10, 2011 minutes.

- II. I-Leads Committee Update – Jan Sears (powerpoint/handout)
 - Population in-house is under 900 inmates for the month of March, in-custody is 925, down from what they usually have. One housing unit is still closed due to low population.
 - Parole/Probation violations – no significant change. Federal and ICE numbers are stabilized.
 - There are 4 juveniles at Marshall County and 4 at Detention Center, higher than normal this week
 - Population numbers usually go up through summer months – we are maintaining a plateau now
 - Psych referrals – all numbers are self reporting until databases can be connected to one another. 19.8% were self reporting which falls within the normal range. Depression is the most significant diagnosis.
 - Several inmates awaiting transportation to other states, five total.
 - Oakdale numbers are good. Captain Krum works well with Oakdale.
 - Cherokee mental health is an issue with the average wait 61 days, we usually have 1 -2 inmates waiting for Cherokee.
 - Moving forward: Lynette will prepare additional demographics to present
 - Working on the homeless issue – there is no way to verify what individuals tell us; about 5% of people coming in are truly homeless from what can be gathered.
 - ICE individuals: once an inmate is on hold for ICE, all other local charges are dropped. ICE pays us to hold them until they take over and are their responsibility. ICE will bring Individuals in for us to hold.
 - There have been three inspections in the last 16 months. We have passed with flying colors.
 - Sally asked about tracking gang activity. Sheriff said they can put them in different pods if needed. Krum stated that we have not had hardly any problems with gangs at the jail.

- III. Sex Offender Program in the 5th Judicial District – Dr. Tony Tatman (powerpoint/handout)
 - Treatment program overview and projections handout was distributed

- There are 244 active offenders on probation or parole, 30 of those are failure to register
- The primary offense is failure to register
- The other main population is the special sentencers
- 51 offenders are on special sentence
- What happens to our sex offenders if they get charged and the sentence is probation with a majority of charges then a special sentence is automatically attached? At discharge of probation, there is an automatic parole sentence of 10 years or life.
- The majority are in the intensive high-risk range and minimum range (low and high normal are between the two. There are 5 Probation and Parole Office IIs, 2 PPO IIs, 1 Polygrapher, 1 PSI Writer, 1 full-time psychologist and 2 part-time psychologists
Valorie asked about special sentences. The same PO's monitor those plus their own on probation.
- The implications of recent laws/projections is that many defendants are pleading to a non sex offense and case loads are growing, anticipate over 1000 people on caseloads by 2013 Marilyn inquired about the number of people pleading down (a lesser charge). There are lots Of implications if someone is not charged with a sex offender crime (not treated, etc). It takes almost a year of treatment before benefits can be seen. Gary asked about our obligation to treat those that move into a specific jurisdiction and transfer them to a sex offender program. Sally explained if they meet the criteria to live here and we don't accept them based on the rules, we could be fined \$10,000 (the State of Iowa) if we don't accept them.

IV. Sheriff's Office Sex Offender Procedures, US Marshal Presentation – Jake Hedgecock, Dave Zimmerman, US Marshal Service – Polk County Sex Offender Program

- In 2006 the US Marshal Service became involved due to the Adam Walsh Act. There were 602,000 sex offenders registered in May 2007. In December 2010, sex offenders increased to 728,000 adding over 100,000 across the nation. Iowa has 5,100 on the registry.
- The procedures create uniform laws in each state, State of Iowa has 5 days, Kansas 10 days and provides penalties for failing to register.
- The Adam Walsh act strengthens federal standards for sex offenders, creates uniformity in laws, provides federal criminal penalties for a knowing failure to register or update, requires states to conform their program to new standards within 3 years and authorizes federal grants.
- Needed to be Adam Walsh compliant by 2009, we are nowhere near that, it is very expensive
- Some states concluded that it is cheaper not to implement. The federal government has changed the language to state to "substantially" implement.
- US Marshal assist with: compliance checks with state and local law enforcement agencies, prosecution of offenders, state fugitive
Investigations, collateral leads, coordination with other agencies on leads. They also bring The following to help other states: extra manpower, overtime, equipment, travel and training. Marshal Service task force includes two deputy marshals, three DCI agents and a Polk County Sheriff's deputy. All four state and local agencies are given special deputations which allows

wider jurisdiction/federal criminal investigative process. They are funded through an annual budget that is operation specific.

- Arrest totals for violation of the sex offender registry were 9 in 2007, 20 in 2008, 48 in 2009 and 83 in 2010 with focus on people with violent backgrounds.
- Specific Operations (Jake Hedgecock, Sheriff's Office) include Operation Accountability 2010 (identifying offenders under bridges, rest stops, etc) and Operation Winter Blitz 2011 (this was Polk Countywide, all cities). Sheriff said the US Marshal's and all other entities make this a Priority and it's been working well.
- Operation Accountability 2010 - issues with sex offenders living under bridges and in rest stops, fields and parking lots. Operation involved 8 officers conducting compliance checks every 2 hours, 24 hours a day for 5 days. 14 people working 12 hour shifts with a 100% conviction rate. Operation resulted in 10 arrests, 9 for failure to comply with Iowa SOR and one for violation of probation. Three were in compliance. Business owners are notified of registrants.
- Operation Winter Blitz 2011 - Polk County wide. 15 agencies, compliance and enforcement operation. Three day operation, 2 shifts, 444 offenders checked. 11 offenders deemed non-compliant. Jake Hedgecock from the Polk County Sheriff's Office.
- Sheriff McCarthy stated that he is happy with the Adam Walsh act that has engaged the US Marshal's Office, every chief of police, sheriff and county attorney makes this the highest priority in the protection of children. It is an aggressive effort that runs continually.
- If you need help in anything call and we can assist.
- Sarcone asked if some can be taken federally. Inbound or out bound. Vast majority is local jurisdiction are there many prosecutions in federal court?
- Hedgecock stated that 8 – 10 are prosecuted in Federal Court, most are Polk County (State Court).

V. Community Conversation with Eli Lilly – this will take place May 18th, 8:30 – noon at Polk County River Place.

VI. Miami-Dade Criminal Mental Health Program Trip Update – we need to speak with them first. We will wait until after the Community Conversation to see who would like to go and make arrangements.

VII. Open Discussion:

Review the job description (handout) for a CJCC position and we will put it on an agenda after The Eli Lilly Community Conversation for discussion.

Next meeting will be April 28, 2011, 8:00 a.m. at Hy-Vee Hall.