

Criminal Justice Coordinating Council (CJCC)

August 21, 2014

8:00 a.m.

VM-CCCU-CC

CJCC Members Present (7): Judy Bradshaw, Judge Arthur Gamble, John F. Mauro, Sheriff Bill McCarthy, Gary Mikulec, John Sarcone, Karen Walters-Crammond.

CJCC Members Absent (4): Angela Connolly, Sally Kreamer, Marilyn Lantz, Valorie Wilson.

CJCC Coordinator (1): Gary Sherzan

Others Present: Tom Hockensmith, Michael O'Meara, Mark Wandro, Sarah Boese, Frank Marasco, Teri Sommerlot, Tom Jackowski, Cory Williams, Cynthia Stuart-Bishop, Teresa Baumhoff, Betty Andrews, Larry James, Mikki Stier, Art Hessberg, Bob Glass, John Fairweather, Jennifer Miner, Max Knauer, Nancy Robinson.

Approval of the June 26, 2014 Minutes

Moved by McCarthy Seconded by Sarcone to approve the June 26, 2014, minutes.

I-Leads Committee Update – Frank Marasco (handout)

In-Facility Population - As of Monday, August 18, it was 922, a very manageable number anytime, but especially for this time of year. The female population at 156 is higher than normal; however, it is down from a few weeks ago. They are keeping an eye on that, and having their statistician pull some different reports to check for any trends that may be responsible.

Bookings and Releases by Year – For the first 7 months of 2014, bookings and releases were just shy of 11,000, respectively.

Bookings and Releases by Month – For the first 7 months, there were an average of 1,555 bookings and 1,558 releases.

Average Daily Population (ADP) – In July 2014, the ADP was 959, down significantly from the ADP in July 2013, which was 977. The fact that the bookings were so high in July, but the ADP was maintained at a very manageable level, speaks well of the progress being made by all agencies represented by the CJCC Board. People are being moved through the process more quickly due to the efforts of the different agencies. The return of Sunday Jail Court also has had a huge impact on the numbers, reducing the ADP on Sundays by 10, and on Mondays by 12 for the same period in 2013. Over a years' time, the number of jail days saved would be about 1,000. This cuts down on the amount of overtime, food, toiletries, janitorial supplies and services, etc.

With the Iowa State Fair just concluding, Frank discussed the new process that was put in place this year to handle arrests there more efficiently. The Iowa State Patrol, who handles law enforcement for the Fair, make 80, 90, up to 100 arrests per night. Those people are brought to the Polk County holding facility on the fairgrounds. This year, at the direction of Sheriff McCarthy, and with the proactive approach of Chief Krumm, Polk County deputies set up a sort of triage process where people were separated out based on whether they

would, or would not, be eligible for citation. They coordinated with the jail to get the paper work started prior to transporting, then transported only those that may be eligible for citation release, rather than everyone that was arrested. Having the process started ahead of time expedited things at the jail, and they were able to get people cited out more quickly, therefore avoiding the spike in the ADP that is usually seen during the Fair.

Courthouse Arrests – There continues to be a high amount of arrests at the Courthouse – 1,303 in the first 7 months, which puts the number at about 10% above average.

Pretrial Release – Teri Sommerlot (handout)

Teri commented that pretrial release numbers were impacted by the Sheriff's Office new process at the Fair. The highest number on their list in one day was 57, where previously that number was 80.

During the month of July, in the lowest level of supervised release, there were 303 individuals out from 1-30 days, saving over 7,000 possible jail bed days. In the more intensely supervised level, there were 39 individuals out from 1-30 days, saving about 977 jail bed days. There were 20 revocations from the combined pretrial release program during that time.

Jail Diversion – Karen Walters-Crammond (handout)

The number of persons served by Jail Diversion has remained fairly steady over the last couple of years. Due to the addition of a new staff member, they expect to see the numbers climb by the time of the next CJCC meeting.

Total Bookings - Up from 596 last year to 661 this year; an increase of 11%.

Number of Bookings by Status – In June, 40 people were booked that were connected to mental health services; 12 were booked that were not connected.

Average Length of Stay for People Connected – For those connected to services, the average number of days spent in jail was 48, and has remained stable over the last couple of years. For those not connected, the average number of days was 65, and has been on a steady climb. More needs to be done to reduce the average days for people who are connected.

Legal Outcome – From FY13 to FY14, there has been an increase in the percentage of people who have received 'Credit for Time Served' (37% to 45%).

Bookings by Charge Class – From FY13 to FY14, there has been an increase in the number of simple misdemeanors (from 32% to 37%) and a decrease in probation violations (25% to 21%) and felonies (15% to 11%).

Percentage of Days by Charge Class – Felonies represent the largest percentage of days, however, since there were fewer bookings for felonies, there are fewer days (44% to 29%). The percentage of days spent for serious misdemeanors are down (20% to 14%), but simple misdemeanors are up (7% to 18%).

Community Support Census – The number of people served by Community Support is back up to where it was a year and a half ago.

Mobile Crisis Response Team (MCRT) – They continue to do a very good job of stabilizing people when they respond to a call, with 42% being stabilized in the field; only 1% resulted in someone going to jail; and 2% resulted in involuntary hospitalization.

Crisis Observation Center (COC) – The center opened on July 15th. In the first month, 41 people were served, with an average length of stay of 5 hours. The shortest stay was a few minutes; the longest was 19 hours. Six people used the service on more than one occasion. The largest number of people (29) were walk-ins; 4 were brought in by the MCRT; 4 people by police; 3 were brought in by a provider; 1 came from the shelter.

Sheriff McCarthy asked what she thought contributed to the amount of people that walked in, Karen replied that she thought it was due to good publicity, as well as word of mouth. In regard to what issues people presented that walked in, Cynthia Stuart-Bishop replied that were a number of different issues-- many of them came in to ask for a referral to a mental health provider and didn't stay for any length of time; some of them needed a place to go to get out of their environment long enough to get stabilized before returning to that environment. Sheriff McCarthy stated that he was surprised, as well as impressed, that there were so many walk-ins.

Bridges Substance Abuse Treatment Program – Tom Jackowski, CEO

There are currently 113 clients in the Bridges program—70 men and 31 women (7 over budget). In the 60-day treatment program, there are 12 men who will soon be transitioning into the Phase II work program and then into the independent living phase. 12 more will be entering the 3.5 treatment program on August 27.

The trial run of the first 10 men went well. The jail is currently staffed for 20 male clients, with a goal capacity of 30-40 by the end of the year. In the matrix they are analyzing in terms of the interplay between publicly funded Medicaid and private insurance, they need to have about 18% of clients that are admitted to the Level 3.5 treatment program that have private insurance coverage to make the financial model work. In the round of 10 men, 20% had private insurance. If that ratio holds, the remainder could be funded by Medicaid.

Bridges is in the process of implementing strategies for the detox aspect of the program. They have asked Ken Smid, former Assistant Director of the Fifth Judicial District, to put together a working team to help determine the appropriate release criteria. They will then take that to Judge Gamble to get input on the judicial side.

In the first six months of compliance drug testing being implemented, relapses are down 50%.

There is already a waiting list into November for the Bridges program, and into September for the Level 3.5 Treatment program. There were 70 referrals during June and July, which is staggering, but they were only able to admit 22 of those due to the program being full. Unsuccessful discharges continue to run about 30% below historical averages, but they won't know specifically why until they post their outcome measurements in January and February of 2015.

Juvenile Probation in the 5th District – Marilyn Lantz

Marilyn was not at the meeting, therefore, this item was skipped.

Kentucky's Use of the Public Safety Assessment – Gary Sherzan (handout)

Before beginning his scheduled topic, Gary wanted to discuss a couple of other issues. He expressed his concern over the waiting list of people being held at the jail after they have been sentenced to a treatment facility. People have been waiting anywhere from 130 days down to 2 days, resulting in a total of 2000 days of jail time. This is not only costly, but people are sitting and waiting to start their treatment.

Gary asked the CEO of EFR to look into that and what possibly could be done to speed the process up. He has not had a chance to speak with her, but she left him a voice message stating that she had found several interesting things. He will get back to Board with her findings and possible suggestions for reducing the wait time.

A discussion followed concerning the problem of wait times in different facilities, what some of the options might be, the competitiveness between state and local facilities, and the fact that high risk individuals go to jail to wait for space to open up in the facility to which they were sentenced, which has been as long as 16 weeks (i.e., Fort Des Moines). Tom Jackowski spoke about a program he visited in Knoxville, TN that had a work release program directly out of their county jail where individuals would essentially go thru their jail sentence at varying levels of security clearance while being employed in the community. This greatly reduced the competitive nature of the interplay between the State and the County .

In regard to the Smart Pretrial Demonstration Initiative grant application to the Pretrial Justice Institute, there has been no response yet. Gary hopes to hear soon.

Some time ago, Marie VanNostrand, Ph.D., came and spoke to the CJCC Board about a new risk assessment tool developed by The Laura and John Arnold Foundation. Gary has a study that was done by 'The Foundation' on the first six months of Kentucky's use of the Public Safety Assessment – Court that shows positive signs in the reduction of crime. Since adopting the assessment on July 1, 2013, Kentucky's courts have been able to reduce crime by close to 15% among defendants on pretrial release, while at the same time increasing the percentage of defendants who are released before trial. The average arrest rate for released defendants has declined from 10% to 8.5%.

Gary feels that, if awarded the grant, the most important part of it would be the opportunity to review our policies, and determine what it is we want to do in the future.

Open Discussion – Sheriff McCarthy discussed a letter his office received from Immigration and Customs Enforcement (I.C.E.) regarding the holding of illegal immigrants, and a comment by Representative Steve King. Since 9/11, I.C.E. had asked all jails in the country to hold illegal immigrants for 48 hours after their local charges had been resolved, and the jails have complied. Several months ago a letter came from the Director of I.C.E. stating that they have revisited that position and determined that it was the wrong thing to do, and *requested* that the practice stop, but that it is not a mandate, or a directive, from the federal government. People in the United States have constitutional rights, regardless if they were born here or not, and it is unlawful to detain them without a valid reason, or a court order.

Representative King criticized Polk County for no longer detaining illegal immigrants for the additional 48 hours, despite the fact that Woodbury County in King's 4th Congressional District is handling the issue the same way as Polk County, among many other counties around the state. King said despite what the Director of I.C.E. said, it was in fact a directive, and that those that weren't following what he believed to be correct, were either trying to undermine the country, or that they just did not understand the law. Sheriff McCarthy strongly disagreed with the comments.

A general invitation was given to an AMOS Conference on September 29 called 'Developing Brains, Developing Accountability'.

Tom Hockensmith informed the Board that legislators from the entire district have been invited to tour the 5th District facilities at Fort Des Moines on September 3, and to discuss issues concerning appropriations, etc.

Betty Andrews noted that the NAACP will be holding their 2nd Annual Iowa Summit on Justice and Disparity on November 17.

John Mauro commented on the fact that the Board of Supervisors and Polk County are looking at some possibly challenging budget issues down the road. Despite an early retirement program that was offered in 2012, when 62 people retired, everyone is going to need to challenge themselves to stay within a budget we can live with.

Next Meeting Date - TBD

Mtg. adjourned 8:46 a.m.