

Criminal Justice Coordinating Council (CJCC)
February 28, 2019
8:00 a.m.
Hy-Vee Hall

CJCC Members Present: Tom Hockensmith, Matt McCoy, John Sarcone, Judge Huppert, Kevin Schneider, Dana Wingert, Valorie Wilson, Cory Williams, Chad Jensen, Chris Scott, Darius Potts.

CJCC Coordinator: Gary Sherzan.

Others Present: Sarah Boese, Clifford Leonard, Pat Coughlin, Brandon Garvey, Makai Echer, Mackenzie Main, Bob Stanton, Annie Uetz, Christopher Patterson, Jodi Urich, Anne Sheeley, Tera Clement, Patrick Johnson, James Cornick, Greg Bellville, Kenny Nulph.

Tom Hockensmith, 2019 CJCC Chairperson, welcomed and introduced new CJCC members: Chief Judge Michael Huppert, West Des Moines Police Chief Chris Scott, Ankeny Police Chief Darius Potts, and Polk County Supervisor Matt McCoy (*McCoy was introduced after the Jail Report*).

Approval of December 6, 2018, Meeting Minutes:

Moved by _____ Wilson _____ Seconded by _____ Sarcone _____ to approve the December 6, 2018, CJCC Meeting Minutes.

Jail Report – Frank Marasco, Polk County Sheriff’s Office (handout)

As of Tuesday, February 26, the In-Facility Population was 989; not included are about 76 out-of-county prisoners; In-Facility and In-Custody Population totals about 1,100; the 30 inmates that were awaiting Oakdale were taken this morning, so there are none waiting now, and the process they’re using to transport to Oakdale is working extremely efficiently. In 2018, Bookings & Releases were at 18,660 & 18,650 respectively, an increase of only about 2% over 2017, so nothing significant. They aren’t seeing the dips in the population that historically have happened, but rather the numbers are staying fairly static, a trend Frank has talked about over the last couple of years. They’ve been focusing on how to get and keep individuals out of jail permanently. He thinks CJCC has done a phenomenal job, as well as Teri Sommerlot and her team with the Pretrial Release Program. Nearly 60% of those coming to jail are out in a day, making the Average Length of Stay (ALS) of 27 days so far in 2019, misleading. Frank wants to get away from focusing as much on ALS and low level offenders, and concentrate more on the individuals are that are using the most jail resources, those 1,000 or so that are consuming well over half of the jail days. By the next meeting, he hopes to be able to report who the individuals are, and why they’re there. He believes what they’ll see is that the demographics of the jail population is changing—a lot more serious offenses, more violent offenses, and more acute mental illness. Those that are higher risk and are in jail for serious offenses are staying longer, as it should be, so Frank wants to be sure the Jail has the resources to handle this type of population. They also want to do what they can to help them, and to reduce recidivism, possibly through some educational programs.

The 5-Year Average Daily Population (ADP) has remained fairly static at around 1,000 over the last 24 months, and even more during typical peak times such as August. Initially, it was thought there were more people coming to jail, but actually there are just more that are staying longer. Frank added that our incarceration rate per capita is actually not high when compared to the national average of 229 inmates per 1,000 population; we are around 175 per 1,000 when you don’t count Federal inmates.

As far as Jail staffing, they have elevated recruitment as well as identifying some administrative functions that can be automated and improved. On March 18th, they’re hiring 26 Detention Officers, which will fill all full-time vacancies, and there’s another process underway with 230 applicants, so they’ve made a lot of progress in addressing their turnover issues.

Pretrial Release (PTR) – Teri Sommerlot , Fifth Judicial District Department of Corrections (handout)

The pilot project using the Public Safety Assessment (PSA) ended on 12/31/18, therefore, Pretrial Release began using a new process on 1/1/19, a hybrid of the process they used previously combined with the information they gleaned from using the PSA. A significant change to the process that Pretrial Release used prior to the pilot is that now they can make recommendations to the Court during the Initial Appearance, providing information to the judge that they may or may not use in deciding if an individual will be released to Pretrial Supervision, or if a monetary bond will be imposed.

The first chart in Teri’s handout shows the Average Number of Initial Appearances Per Day, a number that directly effects the workload for Pretrial Release staff, the County Attorney’s Office, the Clerk of Court, Court Attendant, etc.,. That number did dip down a bit, which is typical during winter months, but is now beginning to go back up again. The number of individuals being actively supervised has been going up over the last few months, as shown on the second chart. As of January 31st, there were 455 defendants being actively supervised by pretrial services. The pie chart on Page 2 shows the Distribution of Pretrial Supervision Levels; most significant is that 62% are at the two lowest levels of supervision. These are low-risk individuals that are able to be released at what PTR feels is the proper level of supervision, will show up for court, and won’t commit a new offense.

Tom Hockensmith verified that there is an assessment done on everyone that meets the PTR program criteria at Initial Appearance, and that the PSA provided some national data-driven components that have proven to be successful in other jurisdictions. Teri confirmed those statements to be true. Tom then asked if some of those components can be included in the assessments PTR is using now to be sure that the judge has all the information they need. Teri replied that they are included, and they are interviewing everyone that meets their initial criteria. However, they only have 2.5 hours to do all the interviews, verify the information, research criminal history, then, based on all of that, be ready to report to court by 8:30 and give their recommendations. They are including some of the factors that have traditionally been thought to be predictive of whether someone would be successful on PTR supervision, i.e., do they live in the community, how long they’ve lived there, etc., and they give a brief synopsis of their criminal history. They also address whether or not a substance abuse assessment would be appropriate.

In the short amount of time the PSA was used, does Teri feel that the culture would change based on its utilization? She feels that it would change a little, but the court often felt that some of the factors that had traditionally been considered were not being looked at with the PSA. The system they’re using now provides the court that information, and when she looks at the recommendations they’re making, and what the judge is doing, she believes they’re releasing the right amount of people. Currently, they are also incorporating some of the elements of the PSA, but that entailed an enormous amount of research. An updated, evidence-based assessment is still needed.

Jail Diversion, Crisis Observation Center Update – Annie Uetz, Polk County Health Services (handout)

Annie referred everyone to her report for the latest statistics, rather than her reading it, so she could focus on some other highlights. Just this month, the Jail Diversion program was expanded to include additional community-based staff to help people transition back into the community, and additional in-house staff to help people prepare for court.

Over the last few months, the Ankeny Police Department has been hosting Crisis Intervention Team (CIT) training. A grant for the training was received from the Safety & Justice Challenge through CJCC. The departments that have attended the first two training sessions are West Des Moines, Ankeny, Urbandale, the Fifth Judicial District, and the Dallas County Sheriff’s Office. Annie and staff have received very positive feedback from officers about the training, the Mobile Crisis Response Team (MCRT) and the Crisis Observation Center (COC) and how beneficial those programs have been to them. This last month, Annie met with the Ankeny Fire Department to discuss mental health and what they can do differently to identify ‘familiar faces’. (This will be discussed further in the Data Driven Justice (DDJ) familiar faces software demonstration later in this meeting). Pleasant Hill has also reached out to PCHS to talk about how they can help individuals suffering from mental illness. PCHS continues to reach out to other communities to make them aware of, and get them involved in, those programs that assist people with mental illness.

Bridges Substance Abuse Treatment Program Update – Pat Coughlin, Executive Director, Bridges of Iowa

There were 3 new counselors hired and in training, however, 2 of them quit – 1 took a job in the Department of Corrections; the other, looking for a less intense environment, went to work in a small Outpatient Department. Hiring and interviewing is still continuing, and they've had a lot of good applicants.

Total number of Bridges clients across all levels of care is 101; 17 of those are in Outpatient Treatment so they don't live at any of Bridges' facilities; 49 men in the west wing of the Jail – 20 in the 1st level of care (high intensity inpatient treatment; 29 in the halfway house level of care. At the Vine Street location there are 35 clients -- 15 women/20 men. In January, they had 24 admissions – 9 women/15 men. In February, they had 21 admissions – 6 women/15 men. It was hoped the number of individuals in treatment at the Jail would be higher than 49 by this meeting, however, due to additional staff still being hired and trained, they haven't been able to take anymore yet. There are 22 individuals that have been assessed and approved, but are waiting for court information; 11 men and 2 women have been approved by the court and will be admitted a few each week starting March 21.

After meeting with Bridges' Board members, it was decided to reduce some of the services at Vine Street, allowing at least one staff member to be transferred to the Jail. Eventually, they will be moving the women's inpatient program back to the Jail, better utilizing staff.

Tom Hockensmith asked what the capacity is at the jail, based on available resources? The goal is to get to 100.

Tom then asked for an update on Medicaid reimbursements. Pat stated that nothing has changed; he was at the Capitol yesterday and met with a Senator and 2 Representatives about the length of time it takes to get a person's Medicaid reinstated once they've been released from jail. The legislators are sponsoring companion legislation to have Medicaid coverage suspended, rather than terminated. Unfortunately, the lag time is about the same so Pat doesn't feel that the legislation would be that helpful. One positive is that last year there were no Medicaid bills on the floor, and this year there are several, but they won't necessarily go anywhere in this legislative cycle. Bridges has applied with Iowa Total Care to be a provider when they go live on July 1, 2019, but it is still in process. The rates Bridges has negotiated with Total Care are significantly better than the ones they've had under Amerigroup, another positive. They've also continued to contact United Health Care to try to get them to work with Bridges to be a provider, but are told they have enough providers in this geographic area and aren't interested in adding any more at this time.

Engagement Center – Annie Uetz, Polk County Health Services

For some time now, the topic of opening a Sobering Center has been discussed, and stakeholders have now begun to meet to make it a reality. The agencies involved are Bridges, Prelude, United Community Services, Employee & Family Resources, Primary Health Care, Broadlawns, Eyerly Ball, Des Moines Police and Fire Departments, House of Mercy, Anawim, and Polk County Health Services. It has been decided that it should be called an Engagement Center rather than a Sobering Center, offering a full array of services including assessments, community detox, medication-assisted opioid treatment, residential treatment, sober living, vocational training, etc. They are currently working with developers on programming and space options, and hope to have a successful bid on some property soon.

Data Driven Justice Familiar Faces Software Demonstration – Tony Jefferson, CIO, Polk County I.T.

The idea for the software is to identify individuals that are over-burdening services such as 911 dispatch, hospital, jail, mental health, etc. I.T. looked at larger models being used but they had Protected Health Information (PHI) gathered and entered into the system that could be viewed by first responders, etc., and would require waivers to be signed. If signed under duress, the waivers could later be revoked. Polk County Health Services (PCHS) already has a process in place for PHI; they just need enough information to narrow down who the person is, which can be done by records that are public anyway, including 911 calls, arrest & jail records, etc. There is no need to have PHI records, therefore no waiver is needed. David Veng-Pedersen is the Project Engineer and will do a quick demonstration on how the system looks and works.

DDJ Familiar Faces Software Demo – David Veng-Pedersen, I.T.

Once a case manager is given access to the system and they log in, a Dash Board comes up; they're able to access the top 100 list, either JAIL HISTORY or 911 CALLS; a list of high utilizers/information comes up (those people that have a history of repeated 911 calls or arrest records); a particular client is selected from the list (for the demo, the client is 'Laura'). In Laura's records, the case manager would find basic information, jail data (including history & booking information), and any charges; 911 information, and dispatch notes can be seen as well. There are 3 things about Laura that can be identified right off the bat – she has made 40 calls to dispatch; she is not in the mental health system; she has been flagged with a mental health alert. At this point, the case manager would probably reach out to Laura to try and engage her in some mental health services, for instance, a referral to Broadlawns. Client notes can be entered into the system. There are other features of the system, as well, such as setting up care team members, giving them access to Laura's profile. Her status would then be changed, and she would be removed from the top 100 list. As the list is amended, they'll be able to report how many people have been diverted from the jail.

Tony added that what is key is that case management is already being done by PCHS and other entities; this system just gives them a window into identifying who the high utilizers are. This is essentially a two-part concept – the application itself, and the legal components, which involve writing up a Usage Agreement, and making sure all non-Polk County entities are covered by a Business Associate Agreement for HIPAA purposes so we are able to share the information with them. The County Attorney's Office is currently working on those documents, and they hope to have them completed in the next few days.

Supervisor McCoy commended Tony, I.T. and others that participated in this project, which will help those 'frequent flyers' get the help they need, improve the efficiency of the system, and use our dollars in the most appropriate way. Tony introduced members of his team (Pani Baruri, Anthony Ochiche, Drew Randol, and David Veng-Pedersen) that were constantly engaged with Annie and other PCHS staff during this process.

Fifth Judicial District Department of Correctional Services Presentation – Art Rabon, Assistant Director; Angela Karaidos, Supervisor, Women's Facility; Brandon Garvey, Supervisor, Fifth District Fugitive Unit

(Angela Karaidos couldn't be here today, so Art Rabon is giving her portion of the presentation).

The Department of Corrections (DOC) operates 'Fresh Start' at Broadlawns, a 48-bed women's facility that opened in 1992, serving justice-involved women. In 2012, after noticing that women who were coming to meet with their parole/probation officer were bringing their children along, they moved 12 P.O.'s to the Fresh Start facility. Since a majority of DOC's clients are men, they wanted to provide a safer environment for the women and children, and this move has worked out well. Also in 2012, Fresh Start began using trauma informed care, a form of treatment that takes into account past traumatic experiences, getting down to the 'why' someone breaks the law. Trauma informed care has been very successful at Fresh Start, so the DOC is now moving that initiative to the Fort Des Moines Residential Facility. It will be a major undertaking due to the fact that men are generally harder to get to open up than women, but they are "going down that road", as it ties in with the 'Dignity and Respect Campaign' launched last fall by DOC Director, Jerry Evans. They will treat everyone – staff, clients, the public – with dignity and respect, as that is what all people deserve.

Brandon Garvey presented on the Fifth Districts' Fugitive Unit, a team of 8 officers, including himself, whose primary job is to issue warrants to probation and parole absconders, and work release escapees. There is also 1 Polk County Sheriff's Deputy that works with them under the Sheriff's 'Work Alternative Program', with the Fugitive Team assisting in tracking inmates with ankle monitors, currently 15-20. They make high-risk home visits to people that don't have a warrant out for them but aren't necessarily doing what they're supposed to do as part of their probation or parole. Last year, they averaged 90 arrests and 110 home visits per month, impressive for a unit of 8. They are acutely aware of the jail population issues, and the DOC has gone to a 'level system' – clients are categorized into Levels 1 - 5, with 5 being the highest risk. His unit concentrates primarily on Levels 4 & 5, and with 5 being the most dangerous to the community, they especially want to keep them in check. There are about 350 clients currently at Level 5. Brandon feels his team does a good job of prioritizing clients so they're not filling up the jail with low risk individuals.

Supervisor McCoy asked about their case load? They have no case load, per se, as they are at the service of the whole department. The Fifth District has roughly 9,000 clients.

Having served on the Department of Corrections Board of Directors, and as Chairperson, Tom Hockensmith commented on how impressed he is with the Fifth District staff, and what a very professional organization it is. He is proud to be on the Board. He wants to continue to bring agencies like them in to meetings to talk about the great work they do.

Public Comments/Open Discussion

Gary Sherzan brought up the time constraint issue in preparing for Jail Court that Teri Sommerlot has touched on during her Pretrial Release Report. He would like to meet over the next couple months and discuss moving the time for Jail Court back a couple of hours to give Pretrial Release staff more time to interview defendants.

Matt McCoy added that he had gone to observe Jail Court and visited with Teri, who it seemed had been up since, what he considers 'the middle of the night' to prepare for the 8:30 court time. What he witnessed was that people there for their Initial Appearance didn't have a clue about what they were supposed to do, i.e., plead guilty/not guilty, etc., and thinks that more time to prepare would improve the system.

Hockensmith suggested a small group gather to discuss what barriers there might be to changing the time, and then bring that discussion back before the large group. There are several agencies that would be impacted by that decision. It is issues like these for which the Criminal Justice Coordinating Council was created back in 2008. He asked Sarah Boese to set up a meeting in the near future.

John Sarcone expressed the fact that there is more going on in Jail Court than just Initial Appearances and looking at Bonds that affects the jail population, and time is a luxury they don't have.

Next meeting

TBD. Sarah B. will send notification.

Meeting adjourned 9:13 a.m.