

Criminal Justice Collaborative Council

CJCC Steering Committee Meeting Minutes
Administrative Building, Lower Level Conference Room
220 N. Main
August 10, 2007 -7:30 a.m.

Members Attending: Archie Brown (Circuit Court Chief Judge), Brian Mackie (County Prosecutor), J. Cedric Simpson (District Court Presiding Judge), Bob Guenzel (County Administrator), Dan Minzey (Sheriff)

Members Absent: Lloyd Powell (Public Defender)

Others Present: Scott Patton (CJCC Staff), Stephanie Jensen (CJCC Intern), Barbara Levin Bergman (CCAB), Jeff Irwin (BOC Chair), Delphia Simpson (Public Defender's Office), Curt Hedger (Corporation Counsel), Kirk Filsinger (Jail Commander), Herb Mahony (Undersheriff), David Behen (Deputy County Administrator)

Meeting Convened: 7:34 am

Steering Committee Chair J. Cedric Simpson chaired the meeting.

Supporting Documents

Attendees were given the following documents:

- Boarding Out Policy
- Boarding Out Resolution
- Boarding Out Procedure
- Jail Demographic Report

I. Boarding Out Policy

Patton introduced the documents in the packet. He referenced the boarding out policy passed by the board of Commissioners that was created so that the jail would remain out of Section 8 and take effect once Section 7 was completed. However, we are currently in Section 8 for various reasons, including the shortage of beds available, across the state.

Minzey stated that only two other counties of the twelve his office contacted currently have beds available. Kalamazoo County has also begun to board out inmates. Patton stated that as of yesterday, there were 42 inmates that needed to be boarded to put the jail under the level for overcrowding. It also appears that there is not space available to board them. Minzey added that there is no room for females anywhere. He also stated that there are issues with inmates who are not eligible for boarding for various reasons, included their involvement in programs. In addition, the number of inmates that are eligible will not be sufficient to solve the overcrowding issue.

Guenzel asked if we are still on lockdown. Minzey responded yes. He also stated that since there are not enough eligible for boarding out we will need to look at other options.

Irwin asked how long the jail has been in Section 8. Mahony replied we are in the second week. Irwin then asked how long before this expires. Mahony stated it last seventy-two days whether or not the issue has been resolved. Brown added that the statute states that once we have done everything we can to get out of the overcrowding situation, we are considered out of the problem. Mahony added we have sixty-five days until that point.

Guenzel asked if Hedger had spoken to any other counties or been working on a contract for boarding out. Hedger stated that he had a contract ready to be approved then sent to Jackson and Mason Counties. Guenzel suggests it may not be worth it because of the lack of bed space. Hedger stated that he had raised

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this question with Patton, and stated that it was valuable to have the contracts even if they are not put to use and if boarding out will not get us out of Section 8. However, he wondered if it was worth it to send inmates out if it would not solve the overcrowding issue, though it may expedite the process. Minzey agreed that it probably would and may take only a couple of days. Guenzel stated that we should be ready to act if we need to and asked Hedger if the contract was signed off on. Hedger replied that he had sent it out and was awaiting approval. He also asked for feedback from the group via email or phone. Guenzel asked if he or the chair had the authority to sign the contract. Hedger replied that they did.

Minzey stated that cost estimates could be done fairly easily. Guenzel asked if there is an established budget. Behen stated that there is an estimated budget. Patton shared the estimated budget numbers with the group. Mahony indicated that the assumptions leading to the budget were appropriate.

Mahony stated that one of the biggest issues is boarding inmates that are in programs. However, he questions the extent to which boarding out for a few days will negatively impact the inmate. He recommends boarding those inmates out because the impact would be minimal because they are already sentenced versus those that are pre-sentenced.

Patton identified the three groups of inmates that we should avoid boarding out, as stated in the policy: pre-sentenced, have pending charges, and trustees.

Bergman asked if Community Corrections would be involved for assistance with boarding out those in programs for flexibility in provision. Minzey stated that is already happening. She also asked if there was liability in the transportation of inmates to other jails and if that cost was covered in the budget. Minzey replied that it was. Mahony added that we do not purchase addition insurance; it is covered under our general liability.

Patton stated that the next step was to amend the procedure to reflect the leniency on boarding out those in programs, if the bed space is available. Mahony stated that he did not think the policy had to be amended. Irwin asked whether the boarding happened on a weekend would lessen the impact. Minzey responded no because overtime them becomes an issue. J. Cedric Simpson added that there is also the issue of pre-sentenced inmates not being available in a timely manner. Mahony added that a lot of programming is offered on the weekend, for the pre-sentenced as well because the courts are not in session

II. Committee Updates

J. Cedric Simpson stated that it is important for the CJCC Full Council to know about this issue and what it means at this point in time. Guenzel agreed. Behen mentioned that there is a listserv that would enable the Sheriff to send the information out to the Council and the criminal justice community and allow feedback. J. Cedric Simpson suggested a meeting of the Pretrial Committee.

Bergman suggested introducing a work release facility for discussion at the full council meeting. Guenzel agreed with placement on the agenda.

Brown stated his comments on the process of selecting inmates for early release. Minzey concurred.

Patton stated that the pretrial committee had not met recently and asked the group if there was need for a meeting. Discussion ensued. It was decided that a meeting should be scheduled in September.

Patton mentioned that a committee to discuss the history of the CJCC that was discussed at the retreat has not yet been formed.

He stated that the integration and information sharing committee has done analysis with support services in evaluating the infrastructure requests for the Public Safety and Justice community of interest for the last couple of months.

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The continuum of sanctions group has not met. A meeting will be scheduled in September.

Patton presented the communication plan and asked for assistance from the group in executing it. He met with some members of the full council to discuss various public safety issues and items of public interest. The plan also included a news release process and suggests a calendar to schedule releasing information regarding the jail.

Patton asked the group their opinion on who should author news releases. Brown offered to share news releases he had authored that were released but never published. He added that we need to continue to release information to the local media outlets. Mackie added that it is important to keep the media informed.

J. Cedric Simpson asked if this would be handled in a committee then come before the full council for approval. Patton replied that was the intent and the topic would be on the agenda for the next full council meeting for discussion.

Irwin stated that it may be helpful to have the releases come from one of the elected officials and that a constant feed of information will also help. Guenzel stated that it will be a challenge and that this needs to be addressed by a committee. Brown volunteered to be a member of such a committee.

IV. Jail Demographic Reports

Patton stated that based on the data discussed at the last full council meeting, an interest was expressed for demographic data regarding the jail population. He then asked the group for opinions on what should be done with the data.

Bergman expressed concern over the data breakdown by age. Patton explained the categories were based on other studies on the same data.

Brown stated he was not sure what value the data had without an explanation of what the data includes and excludes. Patton explained that the purpose is to quantify who touches the jail. Brown added that he is concerned about what the public perception and interpretation will be. He also stated concern over interpretation of number of releases and early releases. Discussion ensued.

Patton asked the group if they thought the data was valuable. Bergman suggested breaking each category further, such as race according to gender. She added that she thinks the public wants this data.

J. Cedric Simpson asked the group if the data should be presented as is or if it needs to be refined. He expressed concern that there will be interpretation that would lead to ill discussion. There is a discussion to be had, but he is not sure it will be productive.

Guenzel added that it is important how it is released and what information accompanies the data. He expressed concern over how it is released. Patton concurred.

Bergman stated that the information should be available to be prepared. Delphia Simpson agreed. J. Cedric Simpson stated that the data must be placed in context and further clarified before being released. Irwin stated that the discussion that occurred at the retreat in regards to this data had similar conclusions. He also suggested having some comparative data to put the County in perspective. Guenzel added that as a collaborative, we have an obligation to give meaning to the interpretation of the data.

Brown suggested that the data be presented to the full council for discussion. Guenzel and J. Cedric Simpson agreed and also asked that we get feedback about what would be meaningful. Irwin suggested that we need more data to go along with it. Delphia Simpson stated that it is important to show that we are looking at the data. J. Cedric Simpson responded that there are many factors that make the data meaningful

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and it will change the meaning from the original data. Delphia stated we should release the data to see how it is interpreted. Behen stated that we have staff that would be able to assist with the interpretation of the data for further analysis.

J. Cedric Simpson asked what the decision of the group is regarding presenting the data. Patton suggested that it be distributed to the full council but not released. The group agreed. J. Cedric Simpson added that we should also tell exactly what the data does and does not include. Patton stated that it would be helpful for the group to help with the context of the data being presented. Guenzel agreed and added that we need to be clear that it is a draft and be careful because of our own expertise.

V. CJCC Agenda Review

Patton stated that boarding out and jail demographic reports will be added to the agenda for the full council. He asked if the communication plan was ready to go to the full council for discussion. J. Cedric Simpson responded that only if there is time because other items will probably spur lengthy discussions.

Patton asked that the Sheriff lead the branding process overview discussion. J. Cedric Simpson added that it will meld with the boarding out discussion as well. The group agreed.

Adjourned: 8:40 am

Next Steering Committee meeting: 9/14/07.