

# **Criminal Justice Collaborative Council**

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**CJCC Retreat Minutes  
April 20, 2007  
LLRC- Room A  
Ann Arbor, MI  
7:30am – 9:00am**

**Members Present:** Dan Dwyer (Trial Court Administrator), Jeff Irwin (Board of Commissioners, Chair), Patrick Hughes (Department of Corrections Probation), Brian Mackie (County Prosecutor), Barbara Levin Bergman (Community Corrections Advisory Chair), Lloyd Powell (Public Defender/Defense Attorney), Archie Brown (Circuit Court Chief Judge), Bob Guenzel (County Administrator), Ann Mattson (15<sup>th</sup> District Court Chief Judge), Barbara Ryan Fuller (Public Representative), J. Cedric Simpson (14A District Court Chief Judge), Charles Pope (Magistrate-14B District Court), Dan Minzey (County Sheriff), John Shea (Attorney, Bar Association Representative)

**Members Absent:** Lawrence Kestenbaum (Clerk/Register), Mike Moran (Ann Arbor Township Supervisor), Kathy Reynolds (Executive Director, WCHO), Paul Bunten (Chief of Police, City of Saline), Robert Brackenbury (Public Representative),

**Others Present:** Kenita Montgomery (CJCC Intern), Uma Harithsa (Support Services), David Behen (Co-Deputy Administrator), Julie Chaffee (Community Corrections), Rick Visel (Sheriff Department), Kirk Filsinger (Jail Commander), Herb Mahony (Undersheriff), Sheila Blakney (Public Defender's Office), Donna Sabourin (CSTS), Megan Wolfe (Business Analyst), Karen Edman (Deputy Clerk/Register), Steve Hiller (Prosecutor's Office), Renee Wilson (Community Corrections), Delphia Simpson (Public Defender's Office), Scott Patton (CJCC Staff), Jason Kalmbach (Support Services)

## **Call to Order**

CJCC Chair J. Cedric Simpson called the meeting to order at 7:39am.

## **I. Approval of Minutes**

J. Cedric Simpson indicated that the minutes from the previous month had inadvertently not been distributed to the group prior to the meeting. J. Cedric Simpson asked that the body make a motion to approve the minutes with seven days to correct them. The motion to approve the minutes of the March 16, 2007, CJCC Full Council meeting was made by Barbara Levin Bergman, seconded by Barbara Ryan Fuller; approved by CJCC members.

## **II. Public Participation**

None.

## **III. CJCC Updates**

### **Jail Overcrowding**

Herb Mahony reported that on April 13<sup>th</sup> the official count of the jail population was 341, with the physical count being 348 (including seven new arrests). Herb Mahony stated that the jail went into section 8 of the jail overcrowding statute, which meant that the jail is currently in lockdown status.

### **Boarding-Out Policy**

Herb Mahony briefed the group on the status of the boarding-out policy discussion. Herb Mahony indicated that since February, a small committee has met to layout the framework for a boarding-out policy. Herb Mahony reported that an integral part of this policy is the key stakeholder involvement, from which they have received positive feedback. Herb Mahony reported that the general consensus was that the boarding

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out of inmates should not interfere with inmate programming, mental health needs, inmates' due process, or pre-sentencing. Also, there should be fluid lines of communication with stakeholders regarding who exactly is being boarded out. Herb Mahony stated that the committee is in the process of developing a draft policy. They will then send the draft out to key stakeholders via e-mail, will then bring it back to the CJCC in May, and finally, take it to the BOC in June.

### **Project Oversight Committee**

Bob Guenzel reported that a small committee has been charged with overseeing the construction of the jail and the 14A District Court. Bob Guenzel reported that there has been substantial progress, and that the group making very good progress unanimously agreed on Tower Pinkster Titus as the project architect. Bob Guenzel reported that the County is in the process of negotiating the contract with them, and Jim Zwolensky is talking to them by telephone. The firm will be coming in the first or second week of May for initial interviews. CJCC members will be involved in terms of giving input on the progress thus far, as well as feedback on the on future goals.

Barbara Levin Bergman offered that she had attended a NIC training several years ago. She recommended that the Project Oversight Committee attend the training at the NIC, as well; Bob Guenzel reported that many of the members have already undergone this training but echoed her sentiment on its usefulness.

### **IV. Retreat Overview**

J. Cedric Simpson gave a brief overview on the purpose of the retreat: to refocus and set the priorities of the CJCC in the next year. J. Cedric Simpson offered that the CJCC has a great deal of information and insight into the various roles of the system. J. Cedric Simpson offered that one positive result of jail overcrowding is the CJCC and the collaboration between the criminal justice system players. J. Cedric Simpson reminded the body that the NIC made 8 specific recommendations for the CJCC:

- Provide a CJCC with a coordinator.
- Conduct a strategic planning session for the CJCC and prepare a total criminal justice system plan. J. Cedric Simpson offered that this should be an iterative process.
- Prepare an informational plan that serves that various agencies. J. Cedric Simpson stated that this has taken some time given the breadth, but this process is now coming together.
- Review the current ongoing jail study.
- Consider the adequacy of the facility.
- Increase the number of beds within the correctional facility.
- Expand the programs in the jail and their continuity in the community. The CJCC has been used to create new programs to help divert offenders from jail. J. Cedric Simpson offered that the County still has work to do, but progress has been made.
- Notify Public Defender of appointments immediately by electronic means. Again, J. Cedric Simpson stated that the system is doing a better job of this, but it still has work to do.

J. Cedric Simpson stated that historically, the goal of a retreat was to talk about jail overcrowding and things the County needs to do. The first retreat dealt specifically with the millage. During the second retreat, the County was in crisis mode given the failure of the millage. J. Cedric Simpson stated that this was a crossroads for the CJCC, and the body had to figure out the direction it would then take. The CJCC created 17 step action plan, and many of the steps have been implemented. J. Cedric Simpson offered that today, the body was not going to talk about jail overcrowding. Instead, the body should seek to focus on other parts of the system. J. Cedric Simpson spoke briefly about some of the CJCC successes. He offered that that both JPORT and the pretrial services program are great successes. Furthermore, there have been great advances in jail population reports. J. Cedric Simpson stated that attendance to meetings is consistent and participants are respectful to one another. J. Cedric Simpson offered that the system owes it to the public to try to work together efficiently and to focus on multidisciplinary, intergovernmental operations. Ideally, the things that the body puts into place will continue once jail overcrowding is solved.

J. Cedric Simpson gave an overview of retreat process; small groups would meet to identify the needs, goals, and processes of each topic. Three groups were identified:

- 1) Historical group-what brought us to this point?

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- 2) Alternatives to incarceration-how do we deal with people that don't end up in jail?
- 3) Information sharing and integration- what improvements happened in our capacity to analyze information and what additional opportunities that we might want to pursue?

J. Cedric Simpson then introduced the facilitators of each group. Donna Sabourin would lead one group with the goal of updating the continuum of sanctions document. Uma Harithsa would lead the Integration and Sharing group. The group would discuss an overview of group's progress, goals of the year, and then discuss the jail population reports. Dan Dwyer and John Shea would facilitate the historical group with the goal of exploring how the County got to this point in the system, future jail population trends, and what kinds of things might impact these trends. John Shea stated that the group would then use this feedback to develop an informational document over the course of the next year on how to deal with these things.

J. Cedric Simpson then asked participants to indicate which group they preferred, and the body took a break to set up room.

## **VI. Group Reports**

The meeting resumed and groups reported back.

### **1) The Historical Group**

John Shea reported that the historical group identified issues that have impacted the criminal justice system over the last 15 years, and those that we anticipate will impact. John Shea indicated that a small group will take this data and do a report in the next 6 months to a year.

Discussion ensued. J. Cedric Simpson asked who would work on their report. John Shea replied that Dan Dwyer, Archie Brown, Scott Patton, Brian Mackie, and he would work on the report. John Shea then stated that group discussed a seemingly contradictory point: the jail utilization has been trending up since 2000, while felonies remain static and misdemeanors are declining. Discussion ensued about the graphs. Charlie Pope offered that traffic enforcement may have impacted that decline in misdemeanants.

Herb Mahony offered that there was capacity added to the jail, so that could have driven the spike through double booking. Herb Mahony also stated that there could also be more serious offenses and more repeat offenders. This would yield higher bonds, and potentially less people not being able to make those bonds. Brian Mackie stated that he would get data on the charges he's authorized on the last six years. This will help to draw some conclusions on what could be driving these things.

Barbara Levin Bergman offered that the State of Michigan is releasing more people, and the sentencing guidelines are going to change again.

J. Cedric Simpson asked if the group would need formalized support from the CJCC to form the subcommittee? John Shea indicated that they would not need formal assistance.

### **2) Alternative to Incarceration**

Donna Sabourin reported that the group began discussing the continuum of sanctions document that was previously brought before the CJCC. Donna Sabourin indicated that the group found that there were a number of things to add to the chart, which was encouraging.

Donna Sabourin reported that the group also found that there are still many capacity issues in terms of spacing and funding. There are not always resources to provide the basic services that the community needs.

The group also looked at the impact of the length of stay, and concluded that shorter stays in jail gives less time to impact offenders. The group then discussed Funding/Grants, identifying both those grants that are ending and a potential grant to apply for.

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The group agreed that identification issues were a major concern. Having no legal identification precludes many of the services and programming that offenders could receive. There needs to be a way to determine this early on. Furthermore, transportation appears to be a barrier to services. Last, exit planning for offenders should begin earlier in their sentences.

Donna Sabourin reminded the group that the CJCC's Reintegration Committee that helped to find the gaps in data, and asked Scott Patton to help find that chart of the initial findings. Donna Sabourin stated that the body should reconvene the reintegration committee again. Last, the group suggested that a list be compiled so that the public will know what services are available.

### **3) Data Integration**

Uma Harithsa gave a brief overview of the discussion held within the Data Systems breakout session. Uma Harithsa explained that the group basically reviewed action plans for 2007. Uma Harithsa reported that the group did discuss selecting a champion for the group's work. David Behen was nominated, but the group needs to confer with him first.

Uma Harithsa then reported that the committee's plan is to move forward with three programs: 1) e-tickets 2) digital warrant arrest process, and 3) automating green-sheets as much as possible.

Uma Harithsa indicated that the larger discussion centered upon the Jail Population report, what conclusions could be drawn from the data, and what additional questions people may have. The group agreed that there were few conclusions but many additional questions. One major question was how to interconnect all of the data.

The group agreed that in terms of the demographics report, use caution with making that data public because the report is not as detailed as it should be for the public to get an accurate understanding.

John Shea asked if there were particular issues regarding the demographic data? J. Cedric Simpson replied that the particular issue was dealing with race and what it reflects. J. Cedric Simpson stated that this is a very emotionally charged issue, and the public will arrive at their own conclusions if the CJCC does not provide answers. Therefore, the body needs to answer as many as the questions about who is actually in jail before public reports are made public.

Jeff Irwin stated that it is important to make sure we have answers to the obvious questions that the data raises- we can frontload this work.

John Shea asked if individuals are concerned that minorities are over represented in the jail.

J. Cedric Simpson expressed that it is important to have as much data on these particular data points. This will allow people to make decisions/inferences more accurately.

Archie Brown offered that incomplete data may allow someone to draw their own conclusions that are not supported by any real data, and this then diverts the CJCC's focus to trying to disprove these misconceptions.

Herb Mahony offered that the goal of any data we use is to use that data to identify and then work on root causes of an issue.

Barbara Levin Bergman offered that identification issues can trigger INS if there are illegal immigrants in the jail. This is something to consider.

J. Cedric Simpson reported that often times, INS just shows up and takes these individuals, but the judges are not sure how INS is getting information on these individuals.

## **VII. Wrap Up**

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J Cedric Simpson reminded the group of the retreat's goals: set CJCC priorities for the next year, identify methods to achieve priorities, and understand how these priorities will be incorporated into the County's planning process. J. Cedric Simpson asked how quickly the goals from today's meeting be distributed. Scott Patton stated that would be relatively a quick turnaround, so that goals can be given to the BOC by May 16<sup>th</sup>.

J. Cedric Simpson thanked everyone for attending the retreat, and for their efforts in advancing the CJCC agenda. J. Cedric Simpson expressed that the body has made tremendous progress based on the level of conversation that was able to occur today. This capacity was not here just two years ago. J. Cedric Simpson offered that the body's progress is evident by how detailed and insightful non-criminal justice players' questions are.

### **VIII. Adjournment**

J. Cedric Simpson declared the meeting adjourned at 11:13.

### **Next meeting**

The next CJCC Full Council meeting is scheduled for Friday, May 18, 2007, 7:30am at the LLRC, Room A.