

CJCC Pretrial Services Committee

Meeting Minutes

June 29, 2005

LLRC Room B

Ann Arbor, MI

12:00 p.m. – 1:30 p.m.

Members Present: Tim Niemann, Charlie Pope, Joe DeGraff, Rick Visel, Scott Patton, Mike Gatti, J Cedric Simpson

Meeting called to order at 12:42 p.m.

I. Approval of Meeting Minutes

Charlie Pope moved, Rick Visel seconded, and members voted to approve the previous meeting minutes with one amendment.

II. Old Business

A. Jail Population Information for April/ May – Sheriff

This item was tabled until the next meeting.

B. In-Custody Arraignments for April/ May – Three District Courts

Charlie Pope reported that there were 65 arraignments in April and 83 in May for 14-B – including jail arraignments. J Cedric Simpson reported that 14-A District Court experienced 178 misdemeanor arraignments and 104 felony arraignments in April and 137 misdemeanor arraignments and 115 felony arraignments in May. Information from 15th District Court was not available. These figures do not include felony walk-ins like CSC.

J Cedric Simpson advised the group that it would be appropriate to assess the value of pretrial arraignments by charge. One possibility is to do all the felons and the misdemeanants after released. Procedure is to sort out according to certain criteria: assessing value potentially by charge. After discussion, the group agreed that pretrial screening should be conducted for all felony charges pre-arraignment and for misdemeanants post arraignment upon request. If a bond is set and the accused may not make it, Court officials could refer the case back to Pretrial and request verification of information. This would probably be a small percent of misdemeanor cases and would be separate processes according to the arraiging Court. For 14-B, this would be having them brought back for bond setting. For 14-A, those they were unsure would leave the bond set on warrant, indicate pretrial services, and that information would be forwarded on to the judge. For 15th, they could also be brought over the next day for whoever is doing in-custodies. The group agreed that it must be clearly understood that Pretrial Services is voluntary and that Pretrial Services should not make bond recommendations, as they may make determinations that judicial officers may or may not agree with.

C. Identify Questions for District Court Arraignment

Charlie Pope shared a list of questions that was circulated among judicial officials. It may be able to be aligned with court appointed attorney forms as well. Tim Niemann indicated that this is nearly identical to the form that the Public Defender uses, with one difference being firearm information. Rick Visel indicated that the mental health and substance abuse information would be difficult to verify right away. He added that some medical issue may be verifiable. Charlie Pope clarified that his intention is to identify acute medical conditions that may prompt judicial officials to consider not having the individual in jail for liability reasons.

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Joe DeGraff noted that it is crucial to identify the source of the records on medical and mental health issues. All of pretrial services include signing release for information. Drugs and firearms could become self-incriminating issues. It is not privileged information. Joe DeGraff cited the TCU Drug Screen instrument that is a well-accepted tool that would not incriminate the defendant.

The issue of having a defense attorney appearing at arraignment was raised. J Cedric Simpson and Charlie Pope both indicated that it would help tremendously.

D. Community Corrections & Zope Survey

Scott Patton noted that the purpose of this survey had already been accomplished by the information supplied by Charlie Pope, so it would not be pursued further.

E. Bar Graph from Compass

Joe DeGraff shared the Compass risk assessment tool. It included criminogenic needs scale and risk assessment. He indicated that the bar graph could be used as a supporting document to a narrative report that would address many questions identified by the courts. J Cedric Simpson asked for clarification of where the risk assessment report would be seen along the process. Joe DeGraff indicated that it may be a case plan at Circuit sentencing. At some point, there would be a database of what certain scores look like to identify programs that work. It could be used in much the same way that classification works – assessing programming needs for early release possibilities. J Cedric Simpson indicated that it may be useful for developing programming for release but may not be useful as something that would be used during sentencing. Joe DeGraff agreed and clarified that the intention is to develop and evaluate programs, not to assist in the sentencing decision unless requested by the sentencing judge.

III. New Business

A. Draft Recommendations

Adjourned at 1:40 p.m.

IV. Next Steps

- A. Public Defenders at arraignments**
- B. Jail Data**