

Criminal Justice Collaborative Council

Meeting Minutes

July 22, 2005

200 North Main Lower Level Conference Room

Ann Arbor, MI

7:30 a.m. to 9:00 a.m.

Members Present: Archie Brown (Circuit Court Chief Judge), Bob Guenzel (County Administrator), J. Cedric Simpson (District Court Presiding Judge), Glenn Cotton (Attorney, Public Representative), Lloyd Powell (Public Defender/Defense Attorney), Dan Minzey (County Sheriff), Kathy Reynolds (Executive Director, WCHO), Dan Dwyer (Trial Court Administrator), John Shea (Attorney, Bar Association Representative), Brian Mackie (County Prosecutor), Paul Bunten (Chief of Police, City of Saline)

Members Absent: Barbara Ryan Fuller (Public Representative), Wesley Prater (Board of Commissioners Chair), Patrick Hughes (Department of Corrections Probation), William McFarlane (Township Supervisor, Superior Charter Township), Lawrence Kestenbaum (Clerk/Register), Barbara Levin Bergman (Community Corrections Advisory Board Chair)

Others Present: Scott Patton (CJCC Staff), George Siasoco (CJCC Intern), Herb Mahony (Undersheriff), Rick Visel (Director, Correctional Services), Renee Wilson (Deputy Director, Community Corrections), Kerry Sheldon (Management Analyst), Sheila Blakney (Senior Assistant, Public Defender), Delphia Simpson (Public Defender Manager), Karen Edman (Chief Deputy Clerk/Register), David Behen (Director, Information and Technology Services), Uma Harithsa (Applied Technology Manager, ITS), Elizabeth Hines (Chief Judge of the 15th District Court)

Convened: 7:38 a.m.

I. Introductions and Supporting Documents

Archie Brown introduced Renee Wilson, who is the new deputy director of Community Corrections. Attendees were given the following supporting documents:

- CJCC Full Council Agenda
- Minutes from the June 17, 2005 CJCC meeting

II. Approval of CCJC Meeting Minutes

The motion to accept the minutes was made, seconded, and approved by CJCC members.

III. Public Participation

None

IV. Administrator's Recommendations: Next Steps

A. Project Governance Overview

Archie Brown explained that the project governance issue involved how the project will be managed. He indicated that a committee, constituted by Wesley Prater, Archie Brown, Bob Guenzel, Dan Minzey, and J Cedric Simpson, will manage the project, make decisions on issues such as architect selection, and make final approvals on contractors. He said that one of the

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important issues would be how this committee relates to the CJCC. He anticipated that the five person committee will make regular reports to the CJCC.

At the July meeting, Bob Guenzel recommended that the Board of Commissioners (BOC) proceed with the 96 bed addition, make improvements to the existing structure (e.g. kitchen and laundry), proceed with the scaled back version for the district court, and convert the current Community Corrections building to a Probation Residential Center (PRC). Recommendations also included training for police officers in Washtenaw County, as well as to have the Assertive Community Treatment (ACT) programs operated by CSTS.

Bob Guenzel also reported that there is a bond issue with the new court in Saline. There is a commitment from the courts and the BOC to fund this through the same bond issue. Some funds for court security for 14A-1 District Court, Platt Road, and the Downtown courts were also included. This was approved with a 10-1 vote in the BOC's Ways and Means Committee.

Bob Guenzel also reported that they have reevaluated the various contingencies and have scaled back the bond issue from the original \$33 million to \$29.5 million. The underlying assumption is that the Board of Commissioners (BOC) would come up with a revenue stream to fund the capital and long-term operational expenses. He will be bringing forward at the BOC's Ways and Means committee a resolution to modify police services policy to pay for these expenses.

Bob Guenzel indicated that he and his staff are looking to moving forward with this public safety and justice proposal. While not a long-term solution, the proposal meets the immediate and intermediate needs of the county. He acknowledged Dan Minzey's concerns about the jail and appreciated his recommendation. He indicated to the BOC that as construction of the 96 bed pod takes place, the CJCC should not lose sight of the capacity issues in the future. The current addition should not preclude further additions which are consistent with the overall plan. He urged the CJCC to take the next two years to determine the capacity needs of the jail for the future.

Bob Guenzel clarified for Archie Brown that a project timeline has not be developed yet. He indicated that construction may begin by next spring. Scott Patton said that a meeting which will include Jim Robertson (Consultant) will be scheduled to develop a draft timeline. Bob Guenzel reported that rather than retrofit a building, the plan is to build a new district court. The county has already negotiated with the property sale. The property can accommodate possible future expansion.

John Shea asked how much of Dan Minzey's concerns are based on the underutilization issue of police officers not arresting individuals because of overcrowding. Dan Minzey said that his concern was from underutilization, from the number of inmates that are boarded out and the rising Average Daily Population. John Shea asked if police arrests were done, would inmates be held for more than a 24 hour period. Dan Minzey said that his agency was beginning to collect and document this information for later presentation to the CJCC. John Shea said that with an expanded holding area, if there will be more room for short term confinement. Bob Guenzel said that there will be have a bigger holding area.

Karen Edman advised that once design and construction commence, the architects should remember that the Clerk/Register's Office has a presence in 14A District Court. Sheila Blakney asked if the Prosecutor's Office is still considering using summons as opposed to bench warrants. Brian Mackie said that his office is considering every suggestion, but they should not look to this as the way to solve the problem. If they did, it would be limited.

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Rick Visel clarified for Archie Brown that the current inmate count was 351. They had just finished the first phase of overcrowding and are now in the banding phase. They are looking for bed space throughout the state. The 351 inmate count does not include the 41 that are boarded out.

B. Court Security Update

Bob Guenzel acknowledged the difficulty in achieving the proper balance on what is possible and what is doable with regards to court security. He indicated that key players in the system, including the Sheriff's Department and the courts, are coming together to do a better job with court security. Improvements at the 14A1 District and 14A3 District (Chelsea) courts will also be done. There will be some changes at the courts downtown and on Platt Road. He said that court security is not a question of infrastructure, but of staffing. The issue at hand is how the county will fund the staffing requirements for this.

V. Assertive Community Treatment Team (ACT) Implementation

Kathy Reynolds gave an update to members on recent funding applications related to jail diversion. She indicated that WCHO and CSTS have been successful in getting a Michigan Department of Community Health grant for jail diversion which will be implemented on October 1st of this year. The grant will fund 2 full time employees (FTEs) for pre- and post- booking diversion in the jail. The grant is for one year with a possible 2nd year extension. The project will be overseen by Rick Visel, Donna Sabourin (Director, CSTS), and the Health Oversight Committee at the jail.

Kathy Reynolds indicated that they are also waiting for a decision on a Substance Abuse & Mental Health Services Association (SAMSA) federal grant for \$400,000 per year to be used for jail diversion. Their hope is that while utilizing the two year state grant, they may be able to resubmit successfully for the SAMSA grant.

Donna Sabourin and Kathy Reynolds are moving ahead with the ACT implementation team. There is a 90 day project timeline for implementing this program. She welcomed participation from CJCC members. She indicated that a national evidence-based model exists which can be implemented on a fairly quick timeline once dollars become available. She said that her staff will continue to be creative on possible options until the ACT program is implemented. Her staff will be meeting with the judges to find out how the ACT program can fit into the sentencing options.

Bob Guenzel said that the decision for when the ACT program will be implemented will depend on the BOC. By 2008 there will be enough dollars for this. However, members are hoping to get the ACT program implemented sooner. Kathy Reynolds said that they would like to at least get the team together and having everything in place. As such once the project is approved, the ACT program can be up and running in 90 days.

Kathy Reynolds clarified that the program will accommodate 90 clients. The customer to staff ratio will be 10:1. Staff will include a psychiatrist, nurse, probation officer, and caseworkers. The projected budget projected is \$900,000 a year. She said that the program will be under CSTS, and so will be run by county employees. It will operate 24 hours/7 days a week. She also clarified that the ACT will serve a majority of the higher end inmates in the jail that are most disruptive as a result of their mental health needs.

Sheila Blakney said that the ACT program should have some connection with the pre-trial services group because bond services will be needed from magistrates for release of inmates. She

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said it may be an issue that needs to be dealt with as far as post-booking release. Herb Mahony said that as part of the 90 day implementation, training must be arranged and scheduled for police agencies across the county. Kathy Reynolds said that her staff has already begun this process. There is an FTE devoted to training and a mental health staff that police officers can call. This has resulted in 35 diversions.

VI. Probation Residential Center (PRC) Implementation

Archie Brown identified that the easier part of the project will be the actual physical conversion of the present Community Corrections building. The more difficult part would be determining the issues of utilization and governance.

Archie Brown said that the issue is whether to bring back the 24 individuals currently housed in PRC's out of county. Given the PRC will be for men only, how many males of the 24 housed outside will be brought back? Should the PRC be utilized only with the current jail population? He said that the Circuit judges could probably accommodate if not the full 35 beds, but then some part of that number. It does not mean that the District Court judges cannot utilize it as well, but a decision should be made on what type of inmate classification can use the PRC. This questions need to be addressed as the PRC becomes implemented.

Archie Brown also said that the second issue is who operates the PRC. There are many types of models. Currently there is no specific discussion on whether Community Corrections, or a private operation like the K-PEP program in Kalamazoo County, should operate the PRC. He indicated a need to start these discussions to start making some decisions.

Scott Patton had proposed the CJCC's spend some time at their August meeting this discussion. To help facilitate this, a list of options can be developed, with pending strengths and weakness. Archie Brown said that members may decide that a smaller group needs to study these issues further and return with recommendations to the CJCC.

VII. Committee Updates

A. CJCC Information System Report

David Behen reported that the previous meeting was interesting and animated. Members came out of it with a signed charter for full commitment to achieve goals. The other item is to put together a process for strategic plan for integration. Best practices research will be conducted by members. They will study counties that have implemented data management systems such as Kent and Kalamazoo Counties at their meeting in August.

David Behen also noted deep differences in the data presentation for the report. Members have elected to conduct a more thorough review of the data and how this can be shown in an appropriate report form to the CJCC. He noted that each department can view the data differently. For example, for the felony pre-sentence numbers, the Sheriff's Department, Community Corrections, and the Courts have different definitions of this terminology. He indicated that he has put together some action steps to address these concerns.

Herb Mahony set the problem of inconsistent data in the context of the banding list for the judges when they deal with overcrowding issues. Data is being collected from numerous data sets. While it may use the same field descriptor, such as pre-trial/pre-sentence, these have different meanings for the Courts and the Sheriff's Department. As these numbers are pulled from the data sets, the information does not match. He noted that a possible solution would be to have someone look at the four systems used by the Sheriff's Department, Courts, and Community Corrections to determine how the information can be pulled out.

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John Shea asked for clarification on whether the definition of certain categories can be fairly stark. Scott Patton clarified that the information that jail collects presents two things. With pre-trial numbers, it is interested in defining whether the inmate is in jail prior to being sentenced or after sentencing. The Pre-Trial Committee is interested in trying to define the pre-sentence category further into those who have not been to court and those who are in the pre-sentence phase. He was unsure if the fields are currently in the database system to enable this breakdown. But the committees are trying to resolve this issue.

John Shea asked if there some way to get the raw data driving this issue that he had requested the past 15 months. He asked if it were possible to have a list of data indicating when inmates arrived at the jail, what they are there for, when they were sentenced or on bond, and if sentenced when they are they due to be released. He indicated that it is taking the committee a lot of time to just get these compilations. He recognized that it was difficult to integrate four systems. But in the meantime, he asked if it were possible to get data for the last quarter.

Dan Dwyer cautioned on just presenting raw data. He advised that waiting for accurate data that everyone interprets the same way is better than data that everyone can interpret differently. He acknowledged that this process is what the committee is struggling to define. While it may appear easy to interpret, the raw data at the jail may not necessarily match the State Department of Corrections or the Courts data. Even the simple data items he listed would not be easy to obtain without greater clarification and this takes time.

J Cedric Simpson explained he understood the frustration. If a person asks for information from the jail, he said that this data would probably be the most inaccurate to make the assessment. For the Pre-Trial Committee, there was a category for “pre-sentence” which did not mean a lot. The committee is looking at the individuals coming into the system before plea and prior to arraignment. The committee is trying to get that category all divided out into those who have been convicted and are just awaiting sentencing, and those who are pre-trial and not convicted. He noted that the ENACT and FULCRUM databases have difficulty doing this.

Discussion ensued on the process that the jail and the judges go through to determine early release. Archie Brown said that the courts receive a list of inmates with names, cases, classifications, series of options, and all charges. Rick Visel explained how the jail develops the release list which includes use of computerized and manual processes. Archie Brown then explained that the Courts then pull out their files manually and start doing manual collection at least twice.

Herb Mahony said that the jail is already trying to identify the data fields and what data source has the most accurate data. In the enhanced court section of the jail’s software, as the charge comes in, this is inputted into their system. When they receive charge information from FULCRUM or from JPIS, someone has to pull all that together from all four sources. J Cedric Simpson also said that they have to make sure that when a person comes up twice, it may look that they have a felony and misdemeanor case, but it may be the same case that has been remanded back to the district courts on a lesser charge.

Jim Robertson said that this is a common issue for which the solution may be to find the best practices models. He noted that as he was not as familiar with data systems, he had a business partner whose expertise may be brought to give input and advice. The real advantage is that the committee is at least focusing on this issue and asking for the same type of information presented in the same way. Once this hurdle is resolved, the integrated data systems would be a powerful

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resource tool. He advised patience until this is accomplished. Archie Brown advised that if there is specific data that members wanted to see, they should indicate this to the data systems committee.

B. Inmate Reintegration

Sheila Blakney said that the committee talked about gaps in services that would lead to integration: insurance, mental health, employment. They then conducted a survey of existing resources and developed a list which addressed these gaps. The committee determined a need to ensure that these resources are available and accessible. Mentoring was also important. The committee will work closely with the 211 Social Services number which is coming on line this year. They will also work with an outside group that deals with prison inmate reintegration. The state is putting our county online in 2006 to be part of the prison reintegration process. It will rely on faith-based groups.

Scott Patton reported that the workforce development group had applied for a grant to assist with prisoner integration. But on further review, they discovered that it was offense/crime specific and will impact the jail population. Sheila Blakney said that housing was one of the biggest barriers. The committee is doing very well with planning, but there is difficulty with implementation. If they get the federal grant, it will be very helpful.

C. Pretrial Services

J Cedric Simpson reported that the committee spent a lot of time on data systems. They tried to get some information on which to develop a process to address these issues. They tried to determine the number of arraignments county-wide. In a manual collection of arraignment data for April, there were 316 misdemeanor cases and 104 felony cases. In May, there were 285 misdemeanor cases and 115 felony cases. He cautioned members on these numbers because these did not include individuals who enter into court to clear up a felony or misdemeanor warrant. They have tried to look at the data system to break this down to see which individuals need to be dealt with.

The committee has had success in developing a questionnaire. They polled all district courts to find out what information they would like to see. There are 21 items in this list to help assess the risks that the courts taking with an individual. He noted that for efficiency purposes, a two track system will need to be developed. Another issue is whether there can be a public defender in the arraignment. This may not be possible due to staffing. He reported that the committee is making good process. The issue of accurate data that is readily available is a problem that needs to be addressed.

VIII. Other Issues

Archie Brown reported that there is an impact on the jail population because of the increase in capital offenses that are going to trials. Inmates who are being held in custody will be held for many months. He also said that there is a real impact on court security over the next two months as a result of murder case. Transport and security will be affected as defendants are separated.

John Shea asked if the first item on the agenda's future items will be brought before the council. Scott Patton explained that a four hour workshop will be set up following PONI program in September. Herb Mahony this very good publication is available at the Department of Justice website.

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Scott Patton said that the CJCC website will be redesigned in the coming weeks. Revisions will allow easier user interface. He asked members to review and forward suggestions to him after this is done.

Adjourned 9:05 a.m.

Next Criminal Justice Collaborative Committee meeting will be on 8/19/05, **7:30 a.m. to 9:00 a.m.**, at 200 North Main Lower Level Conference Room