

Criminal Justice Collaborative Council

Meeting Minutes

October 20, 2005

200 North Main Lower Level Conference Room

Ann Arbor, MI

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

Members Present: Wes Prater (Board of Commissioners Chair), Dan Dwyer (Trial Court Administrator), Barbara Levin Bergman (Community Corrections Advisory Board Chair), Paul Bunten (Chief of Police, City of Saline), Lloyd Powell (Public Defender/Defense Attorney), Patrick Hughes (Department of Corrections Probation), Barbara Ryan Fuller (Public Representative), Brian Mackie (County Prosecutor), Archie Brown (Circuit Court Chief Judge), J Cedric Simpson (District Court Presiding Judge), Bob Guenzel (County Administrator), Glenn Cotton (Attorney, Public Representative)

Members Absent: John Shea (Attorney, Bar Association Representative), Kathy Reynolds (Executive Director, WCHO), Dan Minzey (County Sheriff), William McFarlane (Township Supervisor, Superior Charter Township), Lawrence Kestenbaum (Clerk/Register)

Others Present: Scott Patton (CJCC Staff), George Siasoco (CJCC Staff), Karen Korte (Corrections Lieutenant), Uma Harithsa (Applied Technology Manager), Karen Edman (Chief Deputy Clerk/Register), Herb Mahony (Undersheriff), Rick Visel (Director, Correctional Services), Julie Chaffee (Director, Community Corrections), Joe DeGraff (Case Manager, Community Corrections), Sheila Blakney (Senior Assistant, Public Defender), Delphia Simpson (Public Defender Manager)

Convened: 7:41 a.m.

I. Supporting Documents

Attendees were given the following supporting documents:

- CJCC Full Council agenda
- Minutes from the September 23, 2005 CJCC meeting
- Draft list of "Other Dangerous Offenses"
- Pretrial Services Committee Draft Report

II. Approval of September 23, 2005 CCJC Meeting Minutes

The motion to accept the minutes was made by Wes Prater, seconded by Barbara Levin Bergman, and approved by CJCC members.

III. Public Participation

None

IV. Public Safety Project Update

Bob Guenzel indicated that the project team was formed to oversee the administrative portion. He reported that good progress has been made. A timeline has been developed. A Request for Proposal (RFP) for the selection of a planning consultant has been authorized. There have been

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seven responses, and the project oversight team has agreed to interview three firms. The CJCC will be kept informed on developments.

Bob Guenzel reported that the Clerk is still checking the signatures on the form calling for a referendum. In light of the referendum, it is more important to move ahead. The CJCC may have to look at different ways to fund the public safety and justice initiative. The Board of Commissioners (BOC) has not received word on the sufficiency of signatures. Karen Edman said that the process was 60% finished and the results seem close. They expect to hear the results by mid-November. Once the results are finalized, the administration will talk to the BOC on how to proceed.

V. Probation Residential Center (PRC) Project

Scott Patton reported that in response to the last meeting, the PRC will be operated by a nonprofit organization. The contract is being developed based on the Van Buren County contract. The RFP will be issued roughly by mid-November. Selection will be done by December to ensure hiring of the firm in time to give facility design input for construction to begin early next year. This will be finalized June-Sept. 2006, and occupation will begin by next fiscal year. The CJCC will be given a briefing on developments every three months.

VI. Committee Updates

A. Pretrial Services

J Cedric Simpson reviewed the process for the Pretrial Services Recommendation. The idea was to provide certain information and follow the offender through the system to incarceration. Having that in mind, there is a sheet which individuals have a verification process which would be provided to the magistrates during arraignment. All of the information would come forward in a sheet for the judge to determine the bond setting for the individual. There would be three individuals to accomplish this task: two with Community Corrections and one with the District Court. The third staff member would need approval from the BOC. This will be done on a pilot basis to determine if success is forthcoming. There are different points where an individual comes into the judicial process. Someone has to be able to screen this person before they appear before the judge.

J Cedric Simpson also reported that the committee has developed a process whereby a collaborative process will be able to gather this information. Anyone who will be considered for bond will be verified for information. There are other funding issues which will require collaboration with different courts. Logistical issues will also be considered since district courts hold their arraignments at different times. The magistrates rotate weekends and holidays. The issue is making sure that the verifiers have the opportunity to interview the offender prior to arraignment. The challenge relates more to the weekdays since the arraignments happen at different times.

Bob Guenzel said that this is a great success for the CJCC. There is full cooperation from all involved. It shows that members from different departments can work together as a system and bring the issue to the fore. The administration would like to take the recommendation to the BOC for funding of the district court position. We're making a commitment to the trial period for hiring of staff. Barbara Ryan Fuller said that the press be advised of this successful collaboration.

Wes Prater moved, Bob Guenzel seconded, and members unanimously agreed to adopt the Pretrial Services Report.

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B. Inmate Reintegration

Barbara Levin Bergman reported that an unknown number of state prison parolees will be sent to the county. A steering committee will be formed which will hire a coordinator for the program, with supervision from the Department of Corrections (DOC). The funding for the Michigan Prisoner Reentry Initiative (MPRI) coordinator will be for one year. However, the funding amount was nebulous. It is not certain if it is continuing funding. She is fearful that the money will not be stable fund. The inmates will be entitled to services and will have an impact on community services.

Members of the committee went to the DOC meeting and came back with a decision to concentrate on Jail Reintegration. They recommended that the state prisoner reentry program not be assumed responsibility for these services. It is not that they are unwilling to serve, but if money is not forthcoming, then the county needs to concentrate its services to jail inmates. The committee will take a wait and see attitude on this. Sheila Blakney clarified that the MPRI will happen regardless. But the committee agreed to work with the MPRI committee and as a county provide services. Those already participating in the latter committee will still have a link. They are trying to get resources from faith-based organizations. The committee is finalizing a gap analysis chart of what gaps remain in the system, what resources are available and how to provide services.

C. Information Systems Discussion

Uma Harithsa reported that the committee has been meeting to develop a high level plan. She reiterated that the committee was given two tasks: development of a jail report and the information integration initiative. She will concentrate on the information integration section. She referred members to the agendas for 2005-2006. She said that the committee adopted the plan. She indicated that committee reviewed an inventory which listed the different information systems in the county, which agencies use the system, how do they use it, and how many users. The next steps would be to identify macro-processes. In November, we will have to identify what challenges there are for integration. In December goals will be identified. In January, we will review this year. Most of 2006 will be spent on process mapping and discussing how better to collaborate. Members realize that there are big challenges to this process, such as identifying the numerous forms used in the criminal justice system.

Herb Mahony indicated that one important piece in integration is the contribution of different police agencies in the county. They have taken steps to integrate the information system on the same platform, which is a very significant improvement. This effort will coincide with the information systems report. Scott Patton said that there are 36 systems counted in the county. With the integration of the law enforcement agencies, the number will be reduced to 30 systems. The important task is to bring these 30 systems to a manageable number where systems can speak to each other through middle-ware. Karen Edman said that the hope is to have the integration initiative achieve success in the data entry duplication problem and bring about smaller to bigger efficiencies (reduction of paper, taking out FTEs that have to run the paperwork). Uma Harithsa said that this is a national challenge. She indicated that a consultant who helped Kalamazoo County will be helping the committee with the effort in November and December.

C. Definitions Discussion Continuation

Dan Dwyer reported that the committee had previously discussed “dangerous” versus “assaultive” offenses. They then selected another category, “Other Dangerous Offenses”, felonies and misdemeanors that were not included in A-D sentencing guidelines. He referred members to the draft list of “Other Dangerous Offenses” which was purposely divided into two sections. From C.S.C Fourth Degree (Prisoner) to Murder – First Degree are dangerous offenses that are

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not alcohol related that the committee should be included in the category. Scott Patton clarified that the bolded items are more common offenses. Dan Dwyer said that the committee focused on “dangerous” offenses and not on “assaultive” offenses. Dan Dwyer also noted that the second part of the list has an error: “Possession of Weapon in Jail” should be moved up to the first part of the list. Paul Bunten moved, and Dan Dwyer seconded that the non-alcohol related offenses should be included in the list. The CJCC agreed unanimously that the non-alcohol offenses should be included in the list.

The committee then discussed whether drug and alcohol related offenses (Aircraft-OUIL to Snowmobiles –OWI-3rd Offense Notice) were dangerous offenses. The committee was recommending that all these should be included in the list. Herb Mahony clarified that most of the OUIL offenses are in the jail overnight, and bond out in the morning. They never appear at the jail again unless they fail a sentencing issue, violate alcohol tether, or get another case of drunk driving while off on bond on the first offense. OUIL offenses in jail post-arraignment cases have normally failed multiple attempts to be successful outside of jail. The issue for the committee was to have a value judgment on all OUIL cases. The argument is that OUIL offenders impact lives in the community. If they are court or probation supervised and then they repeat their offense killing lives, society then asks why this dangerous person was out on the streets.

Discussion ensued on whether first offenders or multiple offenders in OUIL cases should be included in the list. J Cedric Simpson reiterated that the reality of the criminal justice system is that the OUIL cases that are in the jail (and cannot post bond) have prior OUIL cases and failed alternative sanctions such as tethering. Therefore, the only OUIL cases that would show up in the report would be those with multiple offenses who pose a threat to the community. Dan Dwyer also noted that the OUIL 1 cases can be classified as dangerous since the offender could have killed someone on their first offense but usually may have not. The offense is dangerous because their conduct is dangerous.

Discussion also ensued on whether labeling “OUIL offender as dangerous” would affect the offender’s bond and sentence. Herb Mahony said that it is important to remember that this is a data report that deals with the inmates in the jail, and how the CJCC classifies them. It answers the question of how the county uses the jail – which offenders are present. He reiterated that those first offenders would not appear in the data set of the report. The CJCC’s report is not for the purposes of posting bond, arraignment or pre-sentence reports.

Dan Dwyer moved, Bob Guenzel seconded, and members unanimously agreed to separate “Alcohol-Related Offenses” from the “Other Dangerous Offenses” category, with the understanding that the offenders who remain in jail are there based upon multiple OUIL offenses.

VII. Announcements

Lloyd Powell announced that on Wednesday, October 26, 2005, noon, at the LLRC, the Public Defender’s Office will host their annual public forum on impact enhancement of police and community trust and prevention of racial profiling. Almost all the police chiefs in the county will be attending. A special guest speaker, Professor David Harris, who is the leading expert on enhancing good community and police relationships, will also be present. Lunch will be served. He encouraged members to attend the forum.

Lloyd Powell also indicated that the Public Defender’s Office is very active in crime prevention by mentoring, teaching, and inspiring young people, particularly young men. His department has initiated an annual sponsorship program for these scholarly youth. He asked members wishing to contribute \$35 for this program to contact him.

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Delphia Simpson announced that as part of Bias Awareness Week, the Washtenaw County Bar Association will host a dinner on October 27, 2005 at Weber's Inn. The Honorable J. Cedric Simpson will be the guest speaker. The dinner is open to the public. For more information and reservations, she will forward the invitation sheet to members.

Julie Chaffee also invited members to the open house at Community Corrections on Friday, October 28, 2005. This occasion marks the first since the new facility opened. She indicated that it would be an opportunity for members to view the building side that will become the new Probation Residential Center.

Scott Patton said that the location for the CJCC Full Council meeting in December will be at the LLRC A.

Scott Patton indicated that training on process mapping will be offered to CJCC Information Sharing and Integration Committee members. He invited CJCC Full Council members are also welcome to participate.

Adjourned 9:05 a.m.

Next Criminal Justice Collaborative Committee meeting will be on Friday, 11/18/05, **7:30 a.m. to 9:00 a.m.**, at 200 North Main Lower Level Conference Room.