

# **Criminal Justice Collaborative Council**

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## **Meeting Minutes**

November 18, 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), Paul Bunten (Chief of Police, City of Saline), Lloyd Powell (Public Defender/Defense Attorney), Kathy Reynolds (Executive Director, WCHO), Dan Minzey (County Sheriff), William McFarlane (Superior Charter Township Supervisor), Brian Mackie (County Prosecutor), Patrick Hughes (Department of Corrections Probation), Dan Dwyer (Trial Court Administrator), John Shea (Attorney, Bar Association Representative), Bob Guenzel (County Administrator), Barbara Ryan Fuller (Public Representative), J. Cedric Simpson (District Court Presiding Judge)

**Members Absent:** Archie Brown (Circuit Court Chief Judge), Glenn Cotton (Attorney, Public Representative), Lawrence Kestenbaum (Clerk/Register), Barbara Levin Bergman (Community Corrections Advisory Board Chair)

**Others Present:** Scott Patton (CJCC Staff), George Siasoco (CJCC Staff), Elizabeth Hines (Chief Judge, 15<sup>th</sup> District Court), Karen Edman (Chief Deputy Clerk/Register), Julie Chaffee (Director, Community Corrections), Kerry Sheldon (Management Analyst), Herb Mahony (Undersheriff), David Behen (Director, Information & Technology Services), Mike Moran (Ann Arbor Township Supervisor), Delphia Simpson (Public Defender Manager), Karen Korte (Corrections Lieutenant), Joe DeGraff (Case Manager, Community Corrections), Sheila Blakney (Senior Assistant, Public Defender)

**Convened:** 7:38 a.m.

### **I. Supporting Documents**

Attendees were given the following supporting documents:

- CJCC Full Council Agenda
- Minutes from the September 23, 2005 CJCC meeting
- Project Meeting Schedule for 2006 (Proposed)
- Street Outreach Court (SOC) Protocol
- Jail Population Information Draft Report

As Archie Brown was unable to participate, Wes Prater chaired the meeting.

### **II. Approval of October 20, 2005 CCJC Meeting Minutes**

The motion to accept the minutes was made by Bob Guenzel, seconded by Barbara Ryan Fuller, and approved unanimously by CJCC members.

### **III. Public Participation**

None

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### **IV. Annual Calendar**

Wes Prater referred members to the proposed annual calendar. He asked members to review the dates and see if changes need to be made. Bob Guenzel moved, Paul Bunten seconded, and members unanimously approved the annual calendar. It will be forwarded to the Clerk/Register for compliance with the Open Meeting Act.

### **V. Street Outreach Court**

Elizabeth Hines described a new exciting project modeled after some homeless courts in California, among other places in the country. As background, she stated that some homeless people commit non-violent offenses that many in the community find as a nuisance. After charged by the police, these homeless people are required to be in court after 10 days. Many are reluctant to show up for various reasons, such as hygiene concerns. They end up in jail as a result of accumulated offenses.

Elizabeth Hines referred members to the Street Outreach Court (SOC) Protocol which outlines details on the voluntary action plan that would be more constructive to the offender and society at large. The offenders pay their tickets in a different currency by accumulating credits after participating in the action plan developed with community service advocates in substance abuse, shelter and mental health issues. The SOC will allow for homeless candidates to reside in various temporary homes while they settle their citations and living situations.

The SOC was modeled after San Diego Vietnam Vets stand-down tent city. Project representatives found that the number one barrier was outstanding warrants for non-violent offenses. As such, homeless candidates have a problem finding employment and housing. Some were reluctant to apply for jobs because they thought they had warrants, which later were found to be non-existent. A video of the San Diego program was presented that gave more detailed information and interviews with the judicial bench, program officers and homeless people served.

Elizabeth Hines gave an example of a case that was dismissed as a result of this program. She clarified that there is no funding for the program and staffing is on a volunteer basis. They are looking at a grant to have a coordinator working from the Police. She was not aware of a program like this in Michigan, as most are located out west. The program, which addresses chronic cases, works with agencies to connect individuals with services. It is not a referral from the courts.

Barbara Ryan Fuller advised that this program be communicated to the media. Elizabeth Hines said that they were going to see how the program worked out first before they contacted the public. John Shea indicated that as the SOC may assist the county in keeping the jail population down, the CJCC should study the possibility of aiding the organization through funding.

### **VI. Public Safety Project Oversight Team Update**

Bob Guenzel reported that the team has been moving slowly with the capital portion of the project. The team is in the process of picking an consultant to put together all the work to date. There is a delay on the Request for Proposal (RFP) for the architect for the design of 15<sup>th</sup> District Court and jail because of the petition. Wes Prater indicated that the team needs to be ready to pick up without much delay depending on the petitions, including what the next steps will be. Bob Guenzel said that the team is moving ahead with the Saline District Court regardless of what happens with the petition, as the public improvement fund may fund it. An architect will be hired to design this building.

Bob Guenzel said that if the petition is successful, everything is off the table. The CJCC may have to revisit the issue with the BOC. Bob Guenzel clarified that there is no plan B if the

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petition is successful. The issue for the BOC is whether to refer the issuance of bonds to the public for a vote. The other choice is to rescind the bond resolution. In either case, everything will be put on hold. He would not be surprised if the commissioners have to go back to the drawing board. Wes Prater said that this has become quite politicized. There have been no serious discussions at the BOC on whether to put the issue on the ballot or to rescind the resolution.

John Shea said that it was not that the public did not support the bigger jail or improved district court, but they were against the way the BOC was going to accomplish its goals, and the issues tied to this project. Mike Moran said that a committee was working on the police services issue and forums have acknowledged that jail expansion was necessary. Many suggested that a millage can be put forth that would be supported. Bob Guenzel said that whether input is allowed, there is organized opposition to the project in one form or another. Therefore support for a millage seems stark as long as these issues are not addressed. Bill McFarlane said that the tax burden on county residents is high due to the number of millages that are already in force. Mike Moran noted that support for a jail millage from the more rural areas can be successful if they feel that they can get an incremental support for their concerns.

### **VII. Committee Updates**

#### **A. Assertive Community Treatment (ACT)**

Kathy Reynolds reported that a committee put together a three-tiered plan which will be available for the CJCC and BOC in December. It is putting together information on alternatives and offset information from this fiscal year if the ACT team had been in place. She invited members to the committee meetings. She clarified that the ACT will be targeting non-felony cases, or felonies that the Prosecutor's Office has agreed upon. She reported that the project outreach team received a Program of the Year Award from the Substance Abuse and Mental Health Services Association (SAMSHA). It is the first time that a team from Michigan has been recognized by SAMHSA. The project team is very involved in the Street Outreach Court project.

#### **B. Information Data Report**

Scott Patton referred members to the draft 35-page report that the CJCC had requested. He walked through the process to develop it and recommend next steps. He is expecting policy-level discussions for upcoming meetings. It is important to note it is a systems perspective. He asked members to consider if the report matches their view of the criminal justice system. If the answer is no, then there will be items that need to be revisited by the CJCC. Scott Patton clarified that it is very important to be clear about the question. For example, one question asked in the report is the number of sentenced felons. There are three different answers, which depend on the time of admission, stay or release. There are a number of these sorts of issues.

In terms of framing, the report is a priority established at the CJCC's retreat this year. It is a work of committee, with most of the data analysis credited to Community Corrections. It is very comprehensive with data from cross-referencing of records through Community Corrections and Sheriff's Department systems. The report included 588 bookings from March which account for over 1000 separate dockets, with substantial work in reconciling data categories from two different systems. Definitions were developed at the CJCC meetings. Final comments were in yesterday from the Steering Committee.

The outline of the document is a general overview, process level questions on how inmates move through the jail to figure out efficiencies, who are in jail by their legal status and crime category, and demographic information. There may be additional questions, and Scott Patton invited members to bring those forward. He would like an initial reaction today but to discuss this more thoroughly at the next meeting.

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Bob Guenzel noted that the report is in draft form. What is the purpose this report and the information it gives. Is this something that the CJCC is going to look at for a long period of time? Scott Patton said that the discussion in December can be formulated around these questions. The huge issue is in developing system improvements after a process level discussion of how the inmates move through the jail. The second question is who is in jail by legal status. Herb Mahony said that it was important to consider that the data can speak to different questions. It would be easy to get confused without these clarifications.

Herb Mahony said that the re-creation of the report may be an important policy question. Joe DeGraff explained that the process for accessing and reporting of data was very labor intensive. He described some of the problems with reporting the data, including the methodology and the interpretation. What he really hoped for was that people would focus on the actual data, but wanted instead feedback on the formatting and presentation. Mike Moran advised that this can be summarized on recommendations of improvements. For instance, he could recommend that there should be one spelling for “Ypsilanti” which affects data sampling. Discussion also ensued on the chart on page 31 that described inmates reporting where they reside. The issue is clouded by the fact that mailing address may be different from inmate’s actual address. Wes Prater said that members should review this and raise issues at the next meeting.

J Cedric Simpson said that it was important to read the whole report and digest it, and then go back as certain parts of it do not seem to match up. Joe DeGraff said to maintain an open mind and a critical eye. John Shea suggested that if any members know of the anomalies then they should be upfront with the committee so the CJCC can be aware of the incongruencies. He noted that it was a step forward which allows the CJCC to present to the public, and recommend to agencies on jail overcrowding.

Dan Dwyer indicated that the funding for Joe DeGraff’s position is from PA511 funds. As of last Friday, Community Corrections staff is directed away from performing massive amounts of data reporting work. He requested that members not contact Joe DeGraff to have him explain or redo the data as he will not be able to do this. Scott Patton offered to contact him if there are questions.

Scott Patton said that Bill McFarlane will be replaced by Mike Moran once he is appointed to the CJCC by the BOC. CJCC members acknowledged Bill McFarlane’s service to the council.

**Adjourned** 9:05 a.m.

Next Criminal Justice Collaborative Committee meeting will be on Friday, 12/16 /05, **7:30 a.m. to 9:00 a.m.**, at Library Learning Resource Center (LLRC) Room A, 4135 Washtenaw Avenue, Ann Arbor, MI 48107-8645.