

Criminal Justice Collaborative Council

Pretrial Committee Meeting Minutes

October 12, 2005
LLRC Room B
Ann Arbor, MI
12:00 p.m. – 1:30 p.m.

Members Present: Mike Gatti, Charlie Pope, Steve Hiller, Julie Chaffee, George Siasoco, Sheila Blakney

Meeting called to order at 12:17 p.m.

Members were given copies of the following documents:

- Criminal Justice Collaborative Council Pretrial Services Committee Draft Report
- National Institute of Corrections (NIC) Washtenaw County Local System Assessment (Gibson/Aguirre, November 2003, Page 6): Finding #15, Attachment B
- Pretrial Services (Draft 1)
- Client Intake Cover Sheet for Bail (CCPT-100)

J Cedric Simpson was unable to attend and chair the meeting. Steve Hiller moved, Julie Chaffee seconded and the members agreed to have Sheila Blakney chair the meeting in his stead.

I. Pretrial Services Committee Report

Members were referred to the Criminal Justice Collaborative Council Pretrial Services Committee Draft Report by Sheila Blakney. She noted that the report was to be presented to the CJCC about the committee's charge and recommendations on the formation of a pretrial services unit for the county. The following changes were discussed and made:

Julie Chaffee asked that the phrase "While their motives are debatable," second sentence on page 2, fourth paragraph be removed. On page 2, paragraph 3, she also asked that the phrase "to be an agent of district court" be reworded, citing that review of the document by the state may raise concerns over future funding. She shared her assumption that a request for proposal was being processed for three staff members, which she and Mark Ptaszek will be scheduling. The staff hired with state funds will be rely more on the Sheriff's department information, and the district court staff member will handle walk-in arraignments. She asked for clarification on whether these assumptions are true or not as the phrase would have to be reworded according to what has been discussed. Michael Gatti said that the third paragraph of second page needs to be reworded since it is a matter of fact: "The State of Michigan also has articulated its interest in reducing the pretrial population in the jail. "

Sheila Blakney updated members on recent developments with pretrial services discussions. She indicated that the judges met with County Administrator Bob Guenzel and developed a solution to the issue raised at the previous pretrial services committee meeting. A third staff member will be hired that will address the district court concerns over accountability. The court will be in charge of the contract. The position will be funded by the county on a trial basis starting on January 2006. Collaboration between Community Corrections, the courts, and administration will occur to address individuals that enter the criminal justice system in whom the state may not necessarily have an interest.

Charlie Pope envisioned that the third staff person primary function will be processing felony arraignments. There are still some logistical considerations that need to be worked out. Sheila

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Blakney said that the original vision was to have that person work out of the jail. It has not been determined how the relevant information can get to the appropriate court or party. Logistical considerations can be addressed through the jail system. The trial court has added an IT person to improve their ITS services and capabilities. Members agreed that the phrase be reworded to "... have stated a strong preference to have a pretrial program to have accountability acceptable to the judicial officers who use the information." The remaining text in the paragraph will be deleted.

Steve Hiller advised rewording the last sentence of the third paragraph on page 2 with "State funding for beyond the fiscal year ending September 30, 2006 is not guaranteed." Mike Gatti advised adding before the above sentence: "Community Corrections 2006 budget reflects the assumption that these services will be provided by contract employees."

On the second page, fourth paragraph, second sentence, Julie Chaffee said that J Cedric Simpson should clarify if the judges had decided at their meeting whether "14A District Court or district court judges had requested a position to handle pretrial services for the misdemeanor population." She also advised striking the second page, first paragraph, last sentence as the data may be inaccurate representation from previous jail snapshots, which did not have a sample that was statistically accurate.

Steve Hiller advised rewording text on page 1, first paragraph, second sentence to: "While the accused may indicate that he/ she has employment, community ties, housing, etc., this information is not verified. Unverified information supplied by a defendant is of little value to a judicial officer facing a bond decision with public safety ramifications. If these factors could be verified prior to arraignment the judicial officer could have sound information upon which to make decisions, and it is projected that, in aggregate, bonds set at arraignment would be more accurate and post arraignment detention would diminish." Sheila Blakney advised reviewing whether Dan Dwyer (Circuit Court Administrator) should be included in the bulleted representatives of the committee on page 1.

Charlie Pope advised that the first paragraph describing the previous pretrial services unit in the county should be deleted because it was not historically accurate. Charlie Pope said that the reason for the elimination of the pretrial services group was because more of budgetary reasons. While for a time it was true that recommendations were made at the bottom part of the court forms, they were not on bond recommendations.

Members agreed to reword the last bullet point on the recommendations section to: "For this model to work, the Committee recommends that the Board of Commissioners fund through resolution the 14-A position on a pilot basis to last approximately six months (beginning in January 1, 2006). State positions will begin as soon as possible in fiscal year 2006."

Members raised concerns over the wording of the first bulleted recommendation point as the committee was not privy to previous discussions between the three chief judges and Bob Guenzel on the three staff positions. Mike Gatti advised having the bullet points reviewed first by J Cedric Simpson, after the draft document is circulated with the rest of the committee. After his comments are done, the committee can revise the draft in time for distribution to the Steering Committee on Friday. As members are not aware of the final agreements for the third position, it would be best to delay action on this proposed document.

Julie Chaffee noted that the funding for the two state-sponsored staff positions were to begin on October 1, 2005. The RFP process will be expedited as a result. She advised text on the recommendation section should include this important note. Sheila Blakney advised that the 14A

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District Court representative be involved in the review process in preparation for the 14-A District Court sponsored staff position. Julie Chaffee reiterated that Community Corrections was directed by Judge Archie Brown to work collaboratively with the 14-A District Court representative on the RFP process for finding a contractor. Steve Hiller recommended that as the committee is already aware of the start dates for the two types of staff positions, text to that effect should be included: "For this model to work, the Committee recommends that the Board of Commissioners fund through resolution the 14-A position on a pilot basis to last approximately six months (beginning in January 1, 2006). State positions will begin as soon as possible in fiscal year 2006."

Discussion ensued on the last paragraph's recommendation that a standing committee be established. The Committee recommended that a standing committee need not be established. Members agreed that there is value in evaluation of the programs. Julie Chaffee said that reporting quarterly to the CJCC Steering Committee be done. Measures will be developed by Julie Chaffee as she will already report to the Community Corrections Advisory Board on a monthly basis to the state on program utilization. The quarterly report will determine if the pilot program is successful or not. Julie Chaffee said that she will develop the single report in collaboration with the pretrial services staff. She also advised placing this text as a bullet point, instead of having the last paragraph.

The verified information form (with an appropriate space for cell phone number) and the reference to NIC's Local System Assessment sheet will be included as attachments. The Pretrial Services flowchart developed by Joe DeGraff will not be included as the information is outdated and needs to be changed.

II. Next Steps

- George Siasoco will make the modifications to the text as specified by members and then forward it to committee members.
- Sheila Blakney will share the draft report with J Cedric Simpson and seek clarification on some of the issues brought before the committee.
- She will make the necessary changes based on her conversation with J Cedric Simpson and forward the revised text to George Siasoco.
- Members will review the revised text and approve it via email by end of business day, October 13, 2005.
- The report will be presented to the CJCC Steering Committee on October 14, 2005 for their review and approval.
- The report's recommendations will then be presented to the CJCC Full Council on October 20, 2005 for their review and endorsement.

Adjourned at 1:24 p.m.