



**Criminal Justice Advisory Council
Meeting Minutes
January 5, 2010**

Present:

Members: Karen Arnold-Burger, Pat Colloton, Frank Denning, Betsy Gillespie, Bart Goering, Ellen Hanson, Joanne Katz, Mark Levin, Laura McConwell, David Phillips, Marilyn Scafe, Stephen Tatum, David Wiebe, and Penny Ellwood.

Robert Stephan, Criminal Justice Advisory Council Chair

Dolores Furtado, Criminal Justice Advisory Council Vice-Chair

Risë Haneberg, Staff

Chairman Stephan welcomed all and asked for the group to do introductions. There were no December minutes to be approved.

Brief Updates:

Johnson County Department of Corrections:

The Corrections Department asked for the opportunity to report to the CJAC on progress made in their programming efforts to address risk reduction. As a result of legislation through Kansas Senate Bill 14, funding was received to enhance local programming in an effort to reduce admissions to the Kansas State Department of Corrections (KDOC) from local community corrections programs. The target reduction was 20%, However, locally KDOC commitments have been reduced by more than 29%. The Corrections staff also described efforts to make organizational and philosophical changes to support the risk reduction efforts. Staff further described the evidence based programming that has been implemented and expressed their desire to use the CJAC in the future for continued feedback and review of programming.

Corrections staff described their efforts to measure change in recidivism rates in the different corrections programs. Recidivism is measured at one, two, and three years following discharge from each program. Measurement is currently limited to criminal cases filed in Johnson County District Court. The CJAC encouraged population sampling and work with local institutions to better gauge actual rates of recidivism.

The CJAC responded with support and enthusiasm for the strides that have been made in successfully working with offenders in the community. Rabbi Levin expressed the need to bring the community on board with this knowledge and to initiate a public relations effort. Betsy Gillespie recommended the CJAC make this a CJAC goal. Rise will prepare a written editorial type article that members can use as a template to submit to various trade publications as a way of starting this information sharing.

Reentry Task Force Update:

Sheriff Denning updated the CJAC on the activities related to Reentry planning. As previously discussed, efforts will be pursued to introduce legislation that will allow for the Sheriff to provide work release as an alternative for all inmates as current law only provides this for those

convicted of Driving under the Influence (DUI). A group from Johnson County met with counterparts from Sedgwick County in December to discuss common needs for legislation to better manage jail populations. Sheriff Denning and Rep. Colloton will be taking these items to a meeting with the revisers office as a first step in getting legislation drafted. The legislative changes being requested include: provisions for work release, allowance for good time and the ability for felony cases to have sentence modifications. In general, the jail needs the same options available to them that the prisons currently have. As this legislation is introduced and testimony is needed, the support of CJAC will be needed.

Criminal Justice-Mental Health Intercept Study:

Risè reported that the consultants from the Council of State Governments Justice Center (CSG) returned to Johnson County in December to interview key leaders to determine the level of commitment in Johnson County towards this project. CSG has since indicated that they plan to recommend to the Bureau of Justice Assistance (BJA) that Johnson County be designated a federal demonstration site in its efforts in the Criminal Justice-Mental Health Intercept Project. If selected, the study will become more in depth, with additional data analysis and programming recommendations. The project will most likely be extended through all of 2010.

JDAI-Juvenile Detention Alternatives Initiative:

Betsy updated the CJAC in the absence of JDAI Task Force Chair Mike McLain. A meeting is scheduled with Russ Jennings, Juvenile Justice Authority Commissioner for January 13, 2010. The purpose of the meeting is to discuss gaining the support of the Commissioner in pursuing that the State of Kansas be designated a JDAI site. Our individual efforts to get a response from the Annie E. Casey Foundation have not been successful to date. In a recent Webinar and through other sources of information, it is learned that Annie E. Casey prefers to bring on states rather than separate jurisdictions. The CJAC will be kept apprised on the efforts to proceed with the JDAI project.

Mission and Vision Statements

The following Mission and Vision statements were approved by the Council:

Vision Statement:

The Johnson County criminal justice system maximizes resources to support offender change that results in reduced crime and enhanced public safety.

Mission Statement:

The Criminal Justice Advisory Council evaluates the Johnson County criminal justice system and forms recommendations that:

- *Identify strengths and deficiencies
- *Promotes collaboration and coordination of resources
- *Utilizes evidence-based strategies to reduce recidivism
- *Addresses root causes of criminal behavior
- *Decreases reliance on incarceration
- *Maintains public safety for our community

Juvenile Prioritization:

The CJAC briefly discussed next steps on the juvenile prioritization chart. Previously, the group voted to pursue the “high risk offender” category through the JDAI project. Betsy presented a brief explanation of the Juvenile Corrections Advisory Board’s (JCAB) current work around updating the “Juvenile Comprehensive Plan,” which is a required document that guides the work of the JCAB. Recommendations are then based on an analysis of data obtained through the

“Communities That Care” student surveys that determine the risk and protective factors for the youth in our community. After discussion, the CJAC determined to work in conjunction with the JCAB in this update of the juvenile plan and in particular to look at the needs around prevention programming. In addition, Rabbi Levin expressed his concern regarding underage drinking in our community and addressing youth substance abuse. For the February meeting, a panel discussion will be planned to present information on prevention, as well as substance abuse issues in Johnson County.

Future agenda planning:

February: Panel presentation on prevention efforts and substance abuse issues in the juvenile system.

March: Adult System Mapping—extended meeting time of **2:30-5:30**

Next Meeting: February 2, 2010 3:30-5:30 Room 200 County Admin. Bldg.



Criminal Justice Advisory Council

Public Service ... Public Value ... Public Leadership

Johnson County, Kansas

Agenda February 2, 2010

3:30	Welcome /Call Roll	Bob Stephan
3:40-4:00	Project Updates Reentry Task Force Criminal Justice - Mental Health Intercept Project JDAI (Juvenile Detention Alternatives Initiative Domestic Violence Legislation	Sheriff Denning Karen Wulfkuhle Michael McLain Bob Stephan
4:00 -5:00	Panel Presentations on Juvenile System Dr. Beverly Graham and Heather Schoonover, Olathe District Schools Barbara Burks, Johnson County Mental Health Substance Abuse Services Shana Burgess, Johnson County STOP Underage Drinking Coalition Janine Gracy, Johnson County Regional Prevention Center	
5:00-5:20	Next steps on Juvenile Prioritization Chart	Group Discussion
5:20 -5:30	Closure/Comments	Bob Stephan

Next Meeting: March 2, 2010 **2:30-5:30**
County Administration Building Room 201



Criminal Justice Advisory Council

Public Service ... Public Value ... Public Leadership

Johnson County, Kansas

Agenda March 2, 2010

2:30	Welcome /Call Roll	Risë Haneberg
2:40-5:00	Adult System Mapping	All
5:00-5:15	Closure/Brief Updates	Risë Haneberg

Next Meeting: April 6, 2010 3:30-5:30
County Administration Building Room 200



Criminal Justice Advisory Council

Public Service ... Public Value ... Public Leadership

Johnson County, Kansas

Agenda April 6, 2010

3:30	Welcome /Call Roll	Bob Stephan
3:40-4:00	Project Updates: Reentry Task Force Criminal Justice - Mental Health Intercept Project Justice and Mental Health Collaboration Program Grant JDAI (Juvenile Detention Alternatives Initiative)	Sheriff Denning Karen Wulfkuhle Risë Haneberg Michael McLain
4:00 -5:15	Johnson County Adult Detention Center Facts and Information First 24 hours in detention	Lt. Charles Lawhead
5:15 -5:30	Closure/Comments Next meeting topic	Bob Stephan

Next Meeting: May 4, 2010
County Administration Building Room 200



**Criminal Justice Advisory Council
Meeting Minutes
May 4, 2010**

Present:

Members: Karen Arnold-Burger, Frank Denning, Penny Ellwood, Betsy Gillespie, Bart Goering, Joanne Katz, Mark Levin, Michael McCulloch, Michael McLain, Timothy Mulcahy, David Phillips, Marilyn Scafe, Stephen Tatum, Anthony Taylor, Karen Wulfkuhle and Hannes Zacharias.

Robert Stephan, Chair

Annabeth Surbaugh, Chairman Board of County Commissioners

Risë Haneberg, Staff

1. Minutes of the April meeting were approved.

2. Project Updates:

Criminal Justice-Mental Health Intercept Project—Karen Wulfkuhle reported that the Council of State Governments (CSG) Justice Center consultants returned to Johnson County April 29-30th. The Leadership Team approved a document that included guiding principles and elements. This document will be forwarded to the CJAC members once all final revisions are complete. In addition, a set of detailed recommendations that address changes for each of the intercept points has been completed by the Work Team and will be circulated to the Leadership Team for approval. Regarding the Federal Demonstration site work, the first three months of data has been collected. At the end of six months, there will be more information to possibly start forming additional recommendations based on those results. It was asked if a mental health court was a part of the current recommendations. At this time, the work team has not recommended a mental health court. CSG recommends that first efforts to improve the system be directed to the earlier intercept sites of law enforcement and initial jail contact. It was suggested that both Columbia, Mo and Jackson County, Mo have mental health courts in place that would be worthy of review. A group of Johnson County staff plan to complete a site visit of the mental health services in place in Sedgwick County, Ks on June 18, 2010. Plans include a tour of their crisis stabilization center, municipal mental health court and diversion program. If any CJAC member is interested in this tour or want to send staff please contact Risë Haneberg.

Grant Updates—Risë Haneberg reported that Big Brothers and Big Sisters of Greater Kansas City has for the second year submitted a Juvenile Second Chance Act Mentoring grant. If received, this grant will specifically match mentors with juveniles who are released from the Juvenile Detention Center.

Update Boys and Girls Club Initiative—Risë Haneberg also reported on the progress to bring a Boys and Girls Club to Olathe. At this time, a Letter of Understanding (LOU) is in the process of being approved. It is expected for the agreement with the Greater Kansas City Boys and Girls Club to be completed by the end of May. Once this is finalized, the Olathe planning group can proceed with initial start-up fund-raising.

3. Jail Process Review continued from April Meeting

At the April CJAC meeting, the group discussed the practice of always filing a warrant on a case and that all defendants are booked into jail on district court cases particularly as this applies to misdemeanors that do not involve domestic violence. Judge Arnold-Burger pointed out that in municipal court, notices to appear are served and that defendants are first given the opportunity to appear before they are served a warrant.

As follow-up to the April discussion, Judge Arnold-Burger reported that she tracked failures to appear on traffic cases that were given the notice to appear in Overland Park Municipal Court with a rate of 18% not showing for court. At that point, a warrant is issued. Judge Dan Vokins, Magistrate Judge who presides over the first appearance docket, was invited to attend the meeting to present information on the district court process. Judge Vokins stated that the failure to appear rate for traffic cases in district court is 22%. He further informed the group that on Violation of Check Law (VCL) cases, letters are sent out by the District Attorney's Office with a 60% response rate. In addition, fingerprinting and mug shots need to be done upon arrest and this is completed at the jail. Judge Arnold-Burger stated this is done at court on municipal cases, if not already completed.

The question was raised as to how it is determined which misdemeanor cases come to district court, rather than going to the municipal court. By local policy, all domestic violence cases are heard at district court. Other misdemeanors would come to district court if:

- They are cases that originate as felonies that get lowered to misdemeanor
- They are cases where there is the possibility that it is a 3rd misdemeanor that may need to be filed as a felony
- They are cases arrested by the Sheriff and Highway Patrol that automatically are charged in district court as that is the home jurisdiction for these cases

Tim Mulcahy reported that the JIMS system indicates an average of 20 VCL cases a month and 18 "other" misdemeanor cases a month for which warrants are issued. Once a warrant is issued and the defendant is arrested they are booked into jail. The booking process that was described at the April meeting then commences.

The discussion moved to the bonding process which was explained by Patrick Devine of the Johnson County Department of Corrections. (See attachment). Pat oversees the bond screening staff that assesses defendants who qualify to be screened for bond supervision. This process includes a record check, brief interview with the defendant and verifications of address and employment. The defendant receives a score that matches with the level of bonding that is recommended including PR (Release on Personal Recognizance), ORCD (Own Recognizance Cash Deposit) and cash surety bonds. The judge may also order bond supervision in conjunction with any of these forms of bond.

Judge Vokins explained his role in setting bond and the many criteria he takes into consideration including public safety, nature of charges, and the information contained in the affidavit which is a summary of the police report. Judge Vokins reports that he uses the bond screen report as a starting point in his decision. He may not follow the recommendation completely, but in many instances he may do a lower cash surety bond when he is also ordering bond supervision. Issues with the ORCD bond include that the legislature has set the limit on ORCD bonds at \$2500, which is very low and not appropriate in many cases. ORCD bonds allow for the individual to post the bond directly with the court and a bonding company is not needed. If the \$2500 limit could be raised, it would be used more often. The bonding companies heavily lobby against this. However, it was also pointed out that for some, a very low bond, such

as \$1000, may also keep someone from making bond, as the bondsmen do not prefer to work these cases.

The group returned to the discussion around how many misdemeanors are coming into jail. If the location of arrest determines if one goes to jail or is given a summons, it was asked how many of these occur. This is a number that will need to be provided through the JIMS system.

It was reported to the Council that Johnson County has been approved for technical assistance through the Pre-Trial Justice Institute for the completion of a review of our bonding process and use of bond supervision. The consultants will visit Johnson County May 24-25, 2010. The Council will be kept apprised of this project and resulting recommendations.

The meeting adjourned at 5:30 pm.

Next Meeting: June 1, 2010 Room 200 County Admin. Bldg.



**Criminal Justice Advisory Council
Meeting Minutes
June 1, 2010**

Present:

Members: Karen Arnold-Burger, Pat Colloton, Frank Denning, Penny Ellwood, Bart Goering, Ellen Hanson, Joanne Katz, Mark Kessler, Timothy Mulcahy, David Phillips, Marilyn Scafe, and Stephen Tatum.

Robert Stephan, Chair

Dolores Furtado, Vice-Chair

Risë Haneberg, Staff

1. Minutes of the May meeting were approved as moved by Karen Arnold-Burger and seconded by Marilyn Scafe.

2. Project Updates:

Reentry--Sheriff Denning reported that with the passage of the expanded work release legislation, plans are underway to start a "barebones" reentry program. This will primarily involve the inmates being moved to work release when they are at the 90 days remaining on sentence. At this time there is no other funding to support the "FACT Team" that would provide the additional case management for the inmates. It is anticipated that 5-10 candidates will be moved to work release in early July. Following the proposed model for reentry, an admissions panel will review the applicants to verify criteria are met for the program.

In addition, the Sheriff's Office and the Department of Corrections are working with the criminal courts to also allow for work release to be used for offenders who are serving a minimum of 30 days of shock time. Also, discussion continues to have those who are required to serve their time on weekends, to do so at the Residential Center.

3. Jail Process Review continued from May Meeting

At the May CJAC meeting, the group discussed the practice of always filing a warrant on a case and that all defendants are booked into jail on district court cases particularly as this applies to misdemeanors that do not involve domestic violence. Judge Arnold-Burger pointed out that in municipal court, notices to appear are served and that defendants are first given the opportunity to appear before they are served a warrant.

Further data analysis has occurred and it is evident that more misdemeanors are booked into jail than thought. However, many of those include misdemeanor DUI's. Judge Arnold-Burger offered to do follow-up, to determine if DUI cases arrested by the Kansas Highway Patrol are required by statute to be booked into jail. Judge Arnold-Burger has offered to construct a chart on any differences that may exist in statutes pertaining to arrest process for cities and district court cases. Sheriff Denning stated his office will be studying the misdemeanor cases coming into the jail and looking and any needed policy changes.

Lt. Charles Lawhead of the Sheriff's Office reviewed the current inmate population report. The capacity at the New Century Jail is 850. Population on the date of the meeting was 764. In July 2010, it is anticipated that the Olathe jail remodel will be completed and the facility

will be used as a centralized booking center, with room to also house an additional 270 beds. The plan is that those who bond out within the first 72 hours will not be moved to the New Century jail. The Olathe jail will be used primarily for classification and short term holds.

Upon reviewing the population report discussion arose around the following:

DUI population is an increasing population and the legislature has a commission in place that is studying DUI issues and will make recommendations next year. It is anticipated the changes will include more use of jail time. Rep. Colloton offered to look into where the work of the DUI C omission is headed. Currently, DUI inmates are moved to work release when they have six months left on sentence. They do not receive any other programming. Much discussion occurred around the issues of the DUI offender, the fact many have had multiple treatment opportunities and that efforts to use ignition interlock and other technology does not address the underlying issues. Joanne Katz and Marilyn Scafe offered to look into the literature and see if anything has come out on effective programming for the DUI offenders.

Risë Haneberg reviewed an additional jail population statistic report that showed the breakout of the population over the long-term. This chart indicated that the growth in jail population over the last year has been with the pre-convicted population. Judge Tatum again raised the issue of bonding and the need to allow more ORCD bonds (own recognizance cash bond) which allows the defendant to post a cash bond directly with the court. Judge Tatum offered to work on support from the Kansas District Court Judges Association to increase the threshold for ORCD bonds which currently is limited to bonds of \$2500 and under. Additional statistics were requested to calculate the average length of stay for the pre-conviction and post-conviction populations separately.

Risë Haneberg reminded the Council that the Pretrial Justice Institute is currently providing technical assistance to Johnson County and reviewing the current bonding process and use of bond supervision. When this report is completed it will be reviewed by the Council for further consideration of ways to improve process.

The meeting adjourned at 5:30 pm.

**Next Meeting: July 6, 2010 Room 200 County Admin. Bldg.
Reminder NO August Meeting**



**Criminal Justice Advisory Council
Meeting Minutes
July 6, 2010**

Present:

Members: Karen Arnold-Burger, Pat Colloton, Frank Denning, Steve Howe, Joanne Katz, Mark Kessler, Michael McLain, Timothy Mulcahy, Marilyn Scafe, Stephen Tatum, Karen Wulfkuhle, and Hannes Zacharias.

Robert Stephan, Chair

Dolores Furtado, Vice-Chair

Risë Haneberg, Staff

1. Minutes of the June meeting were approved as moved by Karen Arnold-Burger and seconded by Dolores Furtado.

2. Project Updates:

JDAI—Mike McLain reported that Kansas has been accepted as a JDAI site by the Annie E. Casey Foundation. The Kansas Juvenile Justice Authority (JJA) office was notified by the Casey Foundation, as JJA will be serving as the project lead agency. A site visit from the Casey Foundation is anticipated for the early fall. A planning meeting with key juvenile stakeholders is set for August 4, 2010.

Criminal Justice-Mental Health Intercept Project--A group from Johnson County met with Wichita officials to learn about their mental health court, crisis stabilization services and their mental health services in general. Attached is a brief description of the information that was shared.

Reentry/Jail Information Update—Sheriff Denning reported that the Reentry Project will be piloted starting in late July. To get Reentry off the ground, the programming will focus on the inmate being released to the Adult Residential Center to enter into work release. The Johnson County Department of Corrections has worked very closely with the planning and will be providing case management services and assistance with job placement once the inmate moves to work release.

The Sheriff also reported progress in the placement of cameras in the courthouse that will allow defense attorneys to communicate with defendants without going to the jail. Eventually, technology will allow for attorneys to communicate with defendants from their office. This is a first step in increasing the use of remote video of hearings and reducing transport of inmates to court for hearings.

In addition, the Sheriff reported that a small Johnson County group will be traveling to Jefferson County, Colorado to tour the jail, observe their Criminal Justice Advisory Council meeting and to discuss various projects with our justice counterparts. Jefferson County is viewed as a peer county to Johnson County with similar size of population, economic make-up and jail capacity. A report on the findings will be made to CJAC.

National Institute of Corrections (NIC) Evidence-Based Decision-Making (EBDM) Project—Risë reported on an opportunity to apply to be selected as one of six sites to serve as a “seed site” to model a framework for system-wide evidence-based decision making. Key justice stakeholders have already reviewed this project and given their approval to make application. The Council approved pursuing this project which includes the submission of an application and a site visit for the sites under consideration. The final selection of the sites is to be announced by August 20, 2010.

3. Presentation: Joint Supervision Project

Marilyn Scafe introduced a panel of presenters from the Kansas Reentry Policy Council’s Joint Supervision Pilot Project.

This program involves the joint supervision by law enforcement and the Johnson County Department of Corrections or the Kansas Parole Office when inmates are released from the Kansas prison system or are on intensive supervision probation. Johnson County law enforcement agencies involved include Sheriff’s Office, Overland Park, Olathe, Lenexa and Merriam Police Departments. The agencies are exploring ways to share the enforcement of supervision plans and to encourage successful integration into the community. They are meeting offenders and making home visits jointly and discussing effective approaches to help higher risk offenders reduce their risk of reoffending or being revoked. The need for cross training for supervision agencies and law enforcement has been identified. The project will run until the end of Oct, at which time, Johnson County participants will decide how to continue and expand the work. The program is in the early stages, but initial data is showing examples of success in risk reduction.

The panel included:

Peggy Lero, Director North Region, Kansas Parole

Jennifer Keating, Supervisor Olathe Parole Office

Cpt. Shawn Reynolds, Olathe Police Dept.

Antonio Booker, Director Johnson County Adult Residential Center

Wendy Hampton, Intensive Supervision Officer Johnson County Dept of Corrections

4. Jail Process Review continued

Due to the time, the continued discussion on jail process was postponed.

The meeting adjourned at 5:30 pm.

Next Meeting: September 7, 2010 Room 200 County Admin. Bldg.



**Criminal Justice Advisory Council
Meeting Minutes
September 7, 2010**

Present:

Members: Karen Arnold-Burger, Pat Colloton, Frank Denning, Penny Ellwood, Betsy Gillespie, Steve Howe, Joanne Katz, Mark Kessler, Timothy Mulcahy, Marilyn Scafe, Stephen Tatum, Anthony Taylor, David Wiebe, Karen Wulfkuhle, and Penny Postoak-Ferguson.

Robert Stephan, Chair

Dolores Furtado, Vice-Chair

Risë Haneberg, Staff

1. Minutes of the July meeting were approved as moved by Karen Arnold-Burger and seconded by Dolores Furtado.

2. Project Updates:

Criminal Justice-Mental Health Intercept Project- Karen Wulfkuhle updated the Council on the return visit of the Council of State Governments Justice Center (CSG) consultant, Hallie Fader on August 27, 2010. Ms. Fader presented the latest data analysis to both the leadership and work teams. The data report includes the tracking information on a cohort of individuals who booked into the Johnson County Detention Center after January 1, 2010, screened for mental health services and have been followed to date. In addition, Karen reported that she presented information at the Chiefs of Police monthly meeting in August and discussed needs for on-going data collection from the police departments. A full report on the project is scheduled for the November CJAC meeting.

National Institute of Corrections Evidence-Based Decision Making Model Seed Site- Risë Haneberg reported that Johnson County was NOT selected to be one of the seed sites. Written reasons and feedback are to be forwarded at a later date.

JDAI-Betsy Gillespie reported that the Kansas Juvenile Justice Authority (JJA) has recently been notified by the Annie E. Casey Foundation that the Casey Foundation has received funding to provide Kansas technical assistance to initiate the JDAI process statewide. JJA Commissioner Russ Jennings has announced that several Kansas jurisdictions have agreed to participate in the JDAI project which includes 80% of all juvenile detention beds in Kansas. A site visit by the Casey officials is scheduled for November 17, 2010. Johnson County will be hosting the visit, which is dedicated to state officials in the morning and local teams in the afternoon. In addition, Betsy Gillespie has been asked to represent Johnson County as part of the Kansas team at the National JDAI Conference scheduled for October 5 in Kansas City, Mo.

3. Presentation: Jefferson County, Colorado Exchange

Panel: Judge Kevin Moriarty, Judge Stephan Tatum, Chris McMullin, Deputy District Attorney, Major Bret Cortright, Risë Haneberg

Major Cortright led the group through a power point presentation that was prepared for the group's visit to the Jefferson County Criminal Justice Strategic Planning Committee. Jefferson

County is a peer County to Johnson County with a similar population in size, economic base and jail capacity. Sheriff Denning requested the group specifically investigate the use of “soft bed caps,” which is a strategy employed by Jefferson County to advise the judiciary of their use of jail beds through a monthly report. Jefferson County set a target population of 1300 for their detention center. Each judge including municipal courts is given a bed limit and also the cost for use of beds over the limit. This strategy has worked in Jefferson County, with a current population in the range of 1,140. Judge Moriarty reported that the process of making judges cognizant of their jail use is alone effective. Judge Tatum suggested that this is part of a complex process that includes responsible bonding decisions, case delay management, and high levels of cooperation. The exchange included a tour of the Jefferson County Detention Center and an opportunity for each of the visiting team to meet one-one with their counterparts. The group returned with many ideas, including a process to do reminder phone calls to those released pretrial to improve the failure to appear rate; which Jefferson County has decreased to 2%. Sheriff Denning would like to have a follow-up exchange with Jefferson County officials visiting Johnson County early in 2011.

4. Follow-up discussion: Misdemeanor Arrests and Booking Policies

Judge Karen Arnold-Burger refreshed the group on the inconsistent policies between municipal cases and district court cases involving misdemeanor arrests. Judge Arnold-Burger provided a chart denoting the discrepancies, which primarily involve the requirement that the Sheriff and Kansas Highway Patrol must arrest on all 1st and 2nd time DUI’s; whereas city police departments do not have this requirement. Mandatory arrest policies are in place for all domestic violence cases. However, all other misdemeanor arrests allow discretion as to whether or not a “Notice to Appear” can be served in lieu of arrest. Recent data supplied by the JIMS office indicates that the decision to arrest is used on a regular basis for misdemeanor cases county-wide. Much discussion followed, particularly concerns around failure to appear rates, needs to acquire mug shots and finger prints, and whether time in jail makes an impact on the defendant. Additional data is requested before any recommendations are formed. Rise will work with Tim Mulcahy/JIMS on gathering additional data and case background information.

Next Meeting: October 5, 2010 Room 202-204 County Admin. Bldg.



**Criminal Justice Advisory Council
Meeting Minutes
October 5, 2010**

Present:

Members: Karen Arnold-Burger, Frank Denning, Penny Ellwood, Steve Howe, Joanne Katz, Michael McLain, Karen Wulfkuhle, and Penny Postoak- Ferguson.
Rise Haneberg, Staff

1. Minutes of the September meeting were approved as moved by Michael McLain and seconded by Karen Arnold-Burger.

2. Project Updates--Grants Awarded!

Second Chance Act

Sheriff Denning reported that with receipt of the grant, the Sheriff's Office will be moving forward in the process of hiring the FACT Team, including a Team Leader, Substance Abuse Specialist and an Employment /Education specialist. The remaining two positions are a Corrections Specialist that will be provided in-kind through Johnson County Department of Corrections and a Mental Health Specialist that will be provided in kind through the Johnson County Mental Health Center. The Sheriff's Office will manage this grant, with assistance from the Criminal Justice Coordinator. The Sheriff reminded the Council that the grant is a start and that this project will take a 3-5 year window to allow for time to demonstrate success. The Sheriff also informed the Council that he has had opportunities with the press to highlight both the Second Chance Act grant and the Justice and Mental Health Collaboration Grants and the opportunity this funding will bring to Johnson County. It is planned to bring the Reentry Task force back together to further address the work of the grant.

Justice and Mental Health Collaboration Grant

David Wiebe reported that the receipt of this grant will provide for the implementation of two key program components. The first will be a "Co-Responder" position that will allow for a mental health professional to be dispatched to the scene when law enforcement identifies a mental health issue. The second will allow for the expansion of the District Attorney's Mental Health Diversion Program by hiring a mental health professional that will supervise those cases with a serious mental health diagnosis and diversion is deemed appropriate. Currently only those diagnosed with "Severe and Persistent" mental illness can be served through the diversion program. The first six months of this grant will be dedicated to the completion of a required Department of Justice Planning Guide. Once completed and approved, the implementation phase can commence.

The Council discussed the need to educate the defense bar about the new programming including the following issues: new criteria, training on understanding mental illness, applying more leniencies towards revocation, triaging cases with law enforcement, and also working with the civil commitment process.

3. Pretrial Services Report

The Council received prior to the meeting a document prepared by the Pretrial Justice Institute who recently completed a review of the Johnson County Pretrial process. Generally the

document provides an analysis of current practices, primarily relating to the use of bond supervision in Johnson County. In addition, it provides recommendations for improvements. The list of recommendations has been shared with the key stakeholders and each agency has received assignments to address the needed areas of change.

The Pretrial study discussion led the Council to return to the topic of misdemeanor arrest policies. Much debate took place around the benefits and costs in the decision to arrest and book a misdemeanor defendant into jail. The discussion included the issues of failure to appear rates and new law violations and the data and history around this practice. A snapshot study of data for misdemeanors arrested "on view" and booked into jail was shared. Also noted was the discrepancies that exist regarding how the Sheriff and Highway Patrol must respond on DUI cases. Many municipal arrests do not require booking. Johnson County Domestic Violence policies require all domestic violence cases to be booked. It was suggested that this could be re-evaluated, however dissent was expressed to not resort back to the "old ways" of not properly addressing domestic violence. Over-all the numbers are not perceived as high; with the data showing that approximately 800 misdemeanor cases were booked into jail from the time period of 2008 to date. The jail averages 18,000 bookings per year. The data will continue to be analyzed by the Sheriff's Office and the District Attorney and future discussion will be brought back to the Council.

It is planned that the key stakeholders involved in the Pretrial process will be reconvened once all departments have had sufficient time to address the Pretrial Justice Institute recommendations. The Council will be kept apprised of this work.

4. Next Steps Discussion

The attached chart of projects was discussed as a way of measuring the status of the Council's work as the Council approaches completion of its second year. Discussion comments have been added in **RED**.

For 2011, the work related to the grants will require time and focus. The pretrial process will continue to be studied and addressed. All of the topics related to jail programming will continue on as 2011 projects. In addition, legislative changes as indicated will most likely be pursued.

**Next Meeting: November 2, 2010 Room 200 County Admin Building 3:30-5:30
Report and Recommendations to the Council on the Criminal Justice-Mental Health
Intercept Project**

December 7, 2010 Meeting--optional tour of the Johnson County Adult Detention Center
(please RSVP for bus transportation)



Criminal Justice Advisory Council

Meeting Minutes

November 2, 2010

Present:

Members: Pat Colloton, Penny Ellwood, Betsy Gillespie, Steve Howe, Mark Kessler, Michael McCulloch, Michael McLain, Tim Mulcahy, Marilyn Scafe, Stephen Tatum, Anthony Taylor, David Wiebe, Karen Wulfkuhle, and Penny Postoak- Ferguson.

Dolores Furtado, Vice Chair

Rise Haneberg, Staff

1. Minutes of the October meeting were approved as moved by Michael McLain and seconded by Karen Wulfkuhle.

2. Project Updates

JDAI (Juvenile Detention Alternatives Initiatives): This project is scheduled to kick-off on November 17, 2010 with an on-site visit by the Annie E. Casey Foundation staff. A team from Johnson County will be attending including several CJAC members, representatives of the judiciary, District Attorney's Office, and staff from Corrections and Court Services.

CJAC Reappointment Process: For those who were contacted to submit letters of interest, the deadline was November 1, 2010. The complete roster for the 2011-2012 Council will be submitted to the Board of County Commissioners in December for approval.

2011 Meeting schedule: With the receipt of both the Second Chance Act and the Justice and Mental Health Collaboration Project Grants, both the Reentry Task Force and the Criminal Justice-Mental Health Intercept Project Leadership and Work Teams will need to remain intact. In addition, the JDAI process will also require leadership meetings. Thus it was recommended by staff to reduce the number of CJAC regular meetings to every other month in order to honor the time commitments of the members who will have multiple meeting requirements. Council members concurred with this recommendation and passed a motion as moved by Mark Kessler and seconded by Anthony Taylor. The 2011 meeting calendar will be forwarded at a later date, however members can plan to meet the first Tuesday in January, March, May, July, September and November at the regular 3:30 time in the County Administration Building.

3. Criminal Justice Mental Health Intercept Project Report:

The full report which was previously disseminated was reviewed in detail with the Council. The PowerPoint that was presented at the meeting is attached. At the conclusion of the presentation, comments were received. One issue raised was the continuing need for training on the issue of the mentally ill in the justice system and how to better serve this population. Marilyn Scafe shared that such a training module is planned to be offered at the state level in the spring of 2011, with Johnson County as a potential site. Also, information sharing barriers were discussed and it was reported that there is the possibility of pursuing legislation to better allow for the collaboration amongst mental health professionals and the justice system. DA Steve Howe also expressed the need to communicate the recommended process changes with the defense bar, particularly as diversion is expanded. Other system staff also need to be trained to understand these cases will need more latitude and that revocations will not be pursued the same as with a

non-mentally ill offender. Sharon Manson of the National Alliance for the Mentally Ill (NAMI) voiced her support of the recommendations and her appreciation for the project that includes opportunity for more family involvement. Anthony Taylor expressed appreciation for the recommendation to find a way to supply medications upon release. David Wiebe closed out the comments with a statement of the totality of the impact that both the Second Chance Act Grant and the Justice and Mental Health Collaboration Grants will have on providing better service to the mentally ill in the justice system.

Next Steps: Rise Haneberg advised the Council that the oversight of the implementation of the recommendations of the Intercept Project will fall to the Criminal Justice Advisory Council. It was moved by Rep. Colloton and seconded by Judge Tatum to accept the recommendations of the Intercept Project. The Council unanimously approved the report and the role of the Council to oversee the implementation of the project.

Next Meeting: December 7, 2010 3:30-5:30 (Optional)
Tour of the Johnson County Adult Detention Center is planned

