

Criminal Justice Advisory Council

Johnson County, Kansas

Criminal Justice Advisory Council (CJAC)

Meeting Minutes

January 6, 2015

Present:

Mark Kessler, Chairperson

Dolores Furtado, Vice Chairperson

Maury Thompson, Staff

Members: Pat Colloton, Ryan Dixon, Ed Eilert, Betsy Gillespie, Steve Howe, Lee Jost, Michael McLain, Aude Negrete, Stephen Tatum, Anthony Taylor, Karen Wulfkuhle, and Hannes Zacharias

Guests: Doug Baker, Wayne Rector, Chris Schneweis, Robert Sullivan, and Irene Caudillo

Welcome/Introductions:

Chairman Mark Kessler, at 3:08 p.m., welcomed everyone and declared the meeting in session.

Approval of Minutes:

Steve Howe moved to approve the November 4, 2014, minutes. Mike McLain seconded the motion which *Passed* unanimously.

Update on CJAC Board Development:

Maury Thompson welcomed Robert Sullivan as the new Criminal Justice Coordinator. Mr. Sullivan shared a short biography. Mr. Thompson thanked all who were a part of the search process for their assistance in hiring a new coordinator. Following Mr. Sullivan's comments each member introduced themselves and stated who they represent on the Council.

It was also noted current members would be reappointed and new members would be appointed for two-year terms at an upcoming Board of County Commissioners business session meeting.

Project Reports:

Juvenile Detention Alternatives Initiative (JDAI) update: Betsy Gillespie distributed a JDAI status chart and report. She also discussed the Evening Reporting Center's statistics for 2014. The Center served fifty youth with issues such as curfew violations, substance abuse, and being beyond parental control, referred by Community Corrections staff. Betsy noted that lower risk youth were not referred to the Center to prevent "over-supervision". She also commented on the Protective Homes/Global Orphan Project work, Juvenile Offender Law CLE, Community Service Hours, Detention Utilization Review, Disproportionate Minority Confinement, and the Youth Residential Center (YRC) II. Finally, Betsy reported that \$400,000 for the State JDAI Grant were no longer available. We are being told by State staff to pursue federal funding for this purpose.

Betsy was asked about the stability of state funding for the soon-to-open YRC II. These are youth in State custody. As such the financial obligation is the State's, so the funding for this placement is seen as relatively stable. That current daily reimbursement rate paid by the State is \$126.00.

Justice Reinvestment update: Maury updated the Council on conversations with the Cities of Olathe and Overland Park regarding municipal cases in the County Detention Center. Of the 5,000 municipal cases reviewed, these two cities accounted for 2,794 of the 5,000. Both cities expressed interest in a pre-trial coordinator to address this population. Both cities also expressed interest in a roundtable discussion on this topic to include Shawnee, Lenexa and Leawood. This discussion led to a conversation regarding the possibility of municipal access to the Justice Information Management System. The Council expressed support for conversations with these municipalities about these two topics.

Maury also shared information regarding Veteran's Courts and Johnson County's selection as a site to begin work in this venue.

The Council was notified of an upcoming presentation of our pre-trial efforts by Aaron Johnson, Rise Haneberg and Dr. Alex Holsinger at the American Probation and Parole Association's conference.

El Centro Presentation:

Aude Negrete, member, and Irene Caudillo, El Centro Executive Director, presented the work of El Centro. Aude and Irene began with a review of their professional experience. They addressed concerns and possible solutions for a safer Latino community. These concerns and potential solutions included the need for more education about the fears the Latino community has regarding those in uniform, the need for local conversations surrounding these fears, and the need for communities to work together to address the issue. This conversation will continue at the next Criminal Justice Advisory Council meeting with a presentation from the Mexican Consulate.

Legislative Issues:

It was announced that the State of the State Address would be held January 15, 2015.

Closing Comments and Adjournment:

The Chairman, at 4:43 p.m., declared the meeting adjourned.

Criminal Justice Advisory Council

Johnson County, Kansas

Criminal Justice Advisory Council

Meeting Minutes

March 3, 2015

Present:

Mark Kessler, Chair

Dolores Furtado, Vice Chair

Hannes Zacharias, Maury Thompson, Chris Schneweis and Robert Sullivan, Staff

Members: Ed Eilert, Betsy Gillespie, Lee Jost, Michael McLain, Steven Menke, Timothy Mulcahy, Marilyn Scafe, Ken Sissom, Annabeth Surbaugh, Anthony Taylor, Karen Wulfkuhle

Guests: Doug Baker, Laura Brewer, Chief Ellen Hanson, Alicia Kerber, Wayne Rector, and Adriana Villarreal

Welcome/Introductions:

Chairman Mark Kessler, at 3:08 p.m., welcomed everyone and declared the meeting in session.

Approval of Minutes:

The motion to approve the January 6, 2015, minutes was *passed* unanimously.

Potential Upcoming Criminal Justice Initiatives

1. Justice & Safety Challenge (grant opportunity)

Robert Sullivan began the discussion by explaining there were two phases to the MacArthur Foundation's Safety and Justice Challenge. Phase I is a planning phase that lasts six months and requires local stakeholders to develop strategies for reducing incarcerations without jeopardizing public safety. Phase II would be the implementation of the strategies developed in Phase I if Johnson County were chosen to advance. Betsy Gillespie stated the McArthur Foundation felt that Johnson County was one of the top eight (8) in the nation and that this would be an excellent opportunity for us to share our successes and possibly learn new models for change. Mike McLain felt it was an opportunity to learn and continue to grow and a way to move forward, therefore he moved to participate. Karen Wulfkuhle seconded the motion. Marilyn Scafe thought it would be good for the population. Maury Thompson felt it was very broad and that there were ways for us to determine where we focus our outcomes and technical assistance on and would allow us a rigorous look at the jail population. Dolores Furtado asked if the competition was wide-open. Robert Sullivan said yes. A vote was taken and all present were in favor.

2. Stepping Up (NACo & CSG mental illness initiative)

Robert Sullivan explained that Stepping Up was a National Association of Counties and The Council of State Governments initiative to raise awareness about the number of people with mental illness in jails across the country; and through the coordination of state and local leaders, will attempt to bring about system change based on data-driven strategies. Some discussion as given regarding the issue being a NACo initiative and Betsy Gillespie spoke briefly about discussions during the NACo Legislative Conference and NOMI and KDADS. Motion was made by Marilyn Scafe and seconded by Annabeth Surbaugh.

A vote was taken and all present were in favor.

3. Justice and Mental Health Collaboration Program (expanding co-responder project to Lenexa)

Robert Sullivan advised the Mental Health Center was looking to expand their co-responder program to include Lenexa and possibly Shawnee. The grant is due April 14th. Notation was made that Overland Park is considering the addition of a second co-responder for their department. Anthony Taylor asked why there are so many people with mental illness and inquired if it was just increased awareness or more people being diagnosed. Maury Thompson stressed that there is greater awareness about mental health issues and some of the stigma associated with mental illness has gone away.

Project Reports

Juvenile Detention Alternatives Initiative update: YRC II

Betsy Gillespie said Foundations opened on February 9th and they currently have four youth. These are at-risk youth who are no longer in their parents' custody. Foundations is licensed for 30 beds and is more like a home environment. There is a getting used to the rules period, which the youth are experiencing at this time. A field trip to the Nelson Art Museum was taken and these youths were extremely impressed with the event. They are aged 14 – 19 and are in the program for up to 90 days.

Justice Reinvestment update: Robert Sullivan reported

- Pretrial Release Guidelines – The data analysis will be completed by Dr. Alex Holsinger, hopefully before the May 14th pretrial stakeholders meeting.
- Pretrial Monitoring Project – We started a pilot project that runs from February 2nd through August 2nd. The basis for this project is to assess the reasons for defendants remaining in jail 48 hours after their first appearance with bonds set at \$5,000 or less.
- Pretrial Impaired Driver Risk Assessment (PIDRA) – This project is in collaboration with the American Probation & Parole Association, the Laura & John Arnold Foundation and Dr. Alex Holsinger. If we choose to participate, the pilot will require Johnson County to complete an assessment for each case arrested on an impaired-driving offense at the pretrial stage of sentencing.

Presentation by the Mexican Consulate's Office

Alicia Kerber, Consul of Mexico and Adrianna Villarreal, Head of the Protection Department, did a presentation on the *matriculas consulares* (government issued identification for Mexican nationals) and the different services the Mexican Consulate provides. Mexico is the only country with diplomatic representation in Kansas. Their primary mission is protection, documentation and promotion. They provide protection for Mexican nationals when they are arrested by making them aware of their right to counsel and asking them if they would like their families back home to be notified. They discussed the importance of notifying the consulate when a Mexican national is arrested by law enforcement. They provide documentation in the form of birth certificates, visas and the *matriculas consulares*. Consul Kerber advised the *matriculas consulares* cannot be issued to anyone with a criminal record. They will also transfer money to inmates, provide orientation to Mexican workers who have been involved in work place accidents and help them recover unpaid wages.

Presentation by Lee Jost and Laura Brewer

Lee Jost and Lee Brewer discussed the Evening Reporting Center pilot and shared the stats for the period of June – December 2014. There were a total of 54 referrals made to the program. By the end of the pilot 35 youth had successfully completed the program and 14 had exited unsuccessful. Of those, both successful and unsuccessful, only 12% were placed in detention during the pilot period. The average cost per youth was only \$158 with the

largest expenditure being for meals. The next steps are to seek grant funding, make improvements to the reporting center rooms, extend the length of the program and conduct a site visit to other evening reporting centers at some point in the future.

Closing Comments and Adjournment

The Chairman, at 4:50 p.m., declared the meeting adjourned and welcomed Annabeth Surbaugh and Chief Helen Hanson.

2015 Meeting Schedule-- 3-5 pm Room 201 unless indicated.

May 5

June 2

Sept 1

Nov 3

Criminal Justice Advisory Council

Johnson County, Kansas

Criminal Justice Advisory Council

Meeting Minutes

May 5, 2015

Present:

Mark Kessler, Chair
Dolores Furtado, Vice Chair
Maury Thompson, Staff
Robert Sullivan, Staff

Members: Pat Colloton, Tim DeWeese, Betsy Gillespie, Steve Howe, Mike McCulloch Michael McLain, Steven Menke, Marilyn Scafe, Annabeth Surbaugh, Stephen Tatum, Karen Wulfkuhle, and Hannes Zacharias

Guests: Doug Baker, Wayne Rector, Kathleen Reith, Chris Schneweis, Michelle Burchyett, Megan Younger, Jeff Bragg, Melanie Pierce, Rob MacDougall, Jason Hess, Risë Haneberg, and Sharon Sawyer.

Welcome/Introductions:

Chairman Mark Kessler, at 3:00 p.m., welcomed everyone and declared the meeting in session. Due to the number of guests in attendance, self-introductions were requested by the Chairman.

Approval of Minutes:

A motion was made to approve the March 3, 2015, minutes. Dolores Furtado seconded the motion which *Passed* unanimously.

Upcoming Criminal Justice Initiatives

1. 2015 JRI Maximizing Local Reforms Solicitation (Grant Opportunity).

Robert Sullivan informed the council about the 2015 JRI solicitation. This grant opportunity is supposed to help local jurisdictions push their local reforms across the finish line. Johnson County would use the funds to target two of their five current JRI strategies to reduce the jail population. Those two strategies are the reduction of probation revocations and better management of the pretrial population. In order to maximize these two local reforms we intend to hire a full-time pretrial officer and house arrest officer.

Karen Wulfkuhle moved to participated in the grant opportunity. Marilyn Scafe seconded the motion, which *Passed* unanimously.

2. PIDRA Pilot Project

PIDRA stands for Pretrial Impaired Driving Risk Assessment. Johnson County will be one of four sites across the country working with the American Probation and Parole Association and the Laura and John Arnold Foundation on this pilot project. Dr. Alex Holsinger is collaborating on the project as well. A retroactive analysis of DUI cases will be conducted on closed cases from 1/01/2010 through 12/31/2014.

Current Events

1. Stepping Up Initiative

Robert Sullivan explained the Stepping Up Initiative is a national initiative to reduce the number of people with mental illnesses in jails. Johnson County was one of four sites selected as part of the launch. The

other three sites were Miami-Dade County, Washington D.C. and Sacramento, California. Robert thanked those who attended the media event earlier that day and everyone who helped to make it a success.

2. Ban-the-Box

Robert informed the council that Ban-the-Box is a movement to urge employers to wait until after the first interview to ask about any prior criminal history. After a lot of discussion it was decided additional information need to be gathered and brought back to a future meeting for further discussion.

3. Osawatomie State Hospital

Robert Sullivan read a press release from the Kansas Department for Aging and Disability Services dated April 23, 2015. There was general discussion about how the reduction of Osawatomie State Hospital beds would impact Johnson County. Tim DeWeese spoke about the downsizing of the State Hospital for remodel, noting the process could be upwards of three-to-four years if they have to renovate the entire hospital.

Pat Colloton moved that an open letter to the Governor, copying the Legislature, be crafted outlining the problems and circumstances projected by the downsizing of the beds at the Osawatomie State Hospital. Annabeth Surbaugh seconded the motion, which *Passed* unanimously.

United Community Services of Johnson County

Johnson County Poverty Profile

Karen Wulfkuhle said in the interest of time and the length of her presentation, she suggested moving her item to a future agenda.

Rainbow Services Inc. (RSI) Update

Jason Hess with the Heartland Regional Alcohol and Drug Assessment Center, Sharon Sawyer with Rainbow Services Inc., and Michelle Burchyett with Johnson County Mental Health Center provided an update on RSI. RSI is a collaborative effort between Wyandot, Inc., Johnson County Mental Health Center, Heartland Regional Alcohol and Drug Assessment Center and the State of Kansas.

In 2013, the state decided to undertake a comprehensive assessment of mental health service needs in the Kansas City metro area. KDADS began conversations with Wyandotte Inc., Johnson County and Heartland Regional Alcohol and Drug Assessment Center (HRADAC) regarding the services the state wished to fund for a pilot project in the Rainbow facility. In January of 2014 Governor Brownback announced the creation of Rainbow Services, Inc. and outlined the vision for this new project. The key goals were to divert consumers from unnecessary and inappropriate use of state hospitals and jails; establish and support alternative community programming that will decrease reliance on Osawatomie State Hospital (OSH) to provide for individuals who may not need inpatient hospitalization, but have no other resources to meet their needs; decrease admissions to OSH of individuals who could be stabilized in the community in 10 days or less by connecting these persons to services/resources in their home communities; and, increase 24-hour community options for individuals with co-occurring mental health and substance use disorders. On April 7, 2014—Rainbow Services, Inc. opened their doors for business.

The following is a summary of the fiscal impact of the project: A reduction of 2357 beds days resulted in savings of \$1,103,076 compared to same time period in 2013 from RSI catchment area; to date, diverting 125 individuals from the state hospital has saved approximately \$1,345,500; diverting 766 individuals from local Emergency Rooms saved local hospitals approximately \$2,019,942. (Estimated ER visit costs \$2,637); and, 132 individuals were diverted from jail.

Mark Kessler recognized Risë Haneberg, former Johnson County Criminal Justice Coordinator, who in turn introduced those with her from the Justice Center.

Update on Olathe and Overland Park's Co-responder Programs

Rob MacDougall with Johnson County Mental Health Center presented on the Olathe and Overland Park co-responder programs.

In 2009 the Health Care Foundation of Greater KC provided a grant to analyze the intercept points of the Criminal Justice System and individuals with mental illness in Johnson County. The study found 17% of the jail population screened for mental health services. A one-day probation count found 670 of the 2,727 being supervised were receiving mental health services. The study also looked at defendants who remained in jail for longer than 72 hours. They found the average length of stay for the general population was 44 days; however, the average length of stay for the mentally ill was 96 days.

In 2010 CJAC voted to apply for the Criminal Justice and Mental Health Collaboration Program Grant, funded through the Bureau of Justice Assistance. This grant was awarded in October 2010. Olathe Police Department was chosen for the project and Kimberly Rowlands was hired in July 2011. In 2012 Johnson County applied for JMHCP Expansion Grant for Overland Park. This grant was awarded in October 2012 and Megan Younger was hired in May 2013. Megan and Kimberly's roles consist of the following: Embedded within police departments; offices are at the police station; they respond with officers to the scene of calls involving individuals experiencing a mental health crisis; review police reports; provide outreach as relevant; and, conduct referral and care coordination.

From July 2011 thru February 2015 the Olathe program has made 1,393 contacts (474 of which were site visits); 14 arrests (24 arrests avoided); 92 ER trips (23 ER visits avoided as of July 2014); 38 screened to Osawatomie State Hospital; and, 23 transported to detox.

From May 2013 thru March 2015 the Overland Park program has made 661 contacts (129 site visits); 12 arrests (34 arrests avoided); 23 ER trips (39 ER visits avoided); 12 screened to Osawatomie State Hospital; and, 18 transported to detox.

Closing Comments and Adjournment

The Chairman, at 4:59 p.m., declared the meeting adjourned.

2015 Meeting Schedule-- 3-5 pm Room 201 unless indicated.

June 2

Sept 1

Nov 3

Criminal Justice Advisory Council

Johnson County, Kansas

Criminal Justice Advisory Council

Meeting Minutes

June 2, 2015

Present:

Mark Kessler, Chair
Dolores Furtado, Vice Chair
Maury Thompson, Staff
Robert Sullivan, Staff

Members: Pat Colloton, Tim DeWeese, Judge Ryan Dixon, Betsy Gillespie, Steve Howe, Michael McLain, Steven Menke, Karen Wulfkuhle, Ken Sissom, Lee Jost and Timothy Mulcahy

Guests: Wayne Rector, Chris Schneweis, and Katherine Stocks

Welcome/Introductions:

At 3:00 pm Chairman Mark Kessler welcomed everyone and declared the meeting in session.

Approval of Minutes:

Steve Howe moved to approve the May 5, 2015 minutes. Lee Jost seconded the motion which *Passed* unanimously.

Criminal Justice Initiatives & Updates

3. Hidden Costs of Pretrial Detention Study

Robert Sullivan informed the council \$10,000 in Justice Reinvestment Initiative funds were moved from personnel to contractual services in order to contract with Dr. Alex Holsinger to replicate the Laura and John Arnold Foundation's "Hidden Cost of Pretrial Detention" study here in Johnson County. The LJAF study took place in Kentucky. The Kentucky study found the relationship between pretrial detention and post-dispositional recidivism is strongest for low-risk defendants. It is estimated to take Dr. Holsinger 160 hours to complete the study at a rate of \$60 per hour for a total of \$9,600. There were no objections.

4. 2015 JRI Maximizing Local Reforms Solicitation (Goals & Objectives).

Robert Sullivan reviewed the goals and objectives outlined in the recent proposal submitted for the 2015 Justice Reinvestment Initiative solicitation.

Goal #1: Increase the number of higher-risk defendants Johnson County is able to supervise in the community on pretrial supervision.

Objective 1: By January 2016, Johnson County Pretrial Services will hire a full-time pretrial officer.

Objective 2: By September 2018, Johnson County will no longer use money bonds for defendants assessed as low or moderate-risk by the pretrial assessment tool.

Objective 3: By September 2018, Johnson County will reduce the jail population by at least 50 inmates, comprised of the same inmate risk classification, for a minimum of 180 days.

Between 12/1/14 and 4/30/15 there were a total of 285 or 49% of defendants assessed as low to moderate-risk. The impact of this strategy could result in Johnson County doing away with money bonds and relying on pretrial supervision for some of this population. It will allow for better management of the pretrial population by reallocating current resources to higher-risk defendants and allow Johnson County to maintain manageable caseload sizes. Reducing the jail population by at least 50 inmates for an extended period of time could result in the closing of a module and potential cost-savings of approximately \$350,000 per year.

Goal #2: Address the need for increased house arrest capacity for probation officers to use as a response to technical probation violations.

Objective 1: By January 2016, the new House Arrest Officer will be hired.

The impact of this strategy will be to reduce probation revocations for minor technical violations by providing officers with an alternative response to the violations. When an offender is placed on house arrest in lieu of a jail sanction they are able to maintain their employment, will not lose their housing and will still be held accountable. Another impact of this strategy will be the affect it will have on caseload sizes. Another full-time house arrest officer will lead to more manageable caseloads for the House Arrest Program.

Goal #3: Measure the impact of policy changes and reinvestment resources so that local policy makers are able to reinvest those cost savings back into high-performing programs and strategies.

Objective #1: By January 2016, the Criminal Justice Coordinator will form a cost-benefit analysis team made up of analysts and policy makers from organizations that contribute to the use of our jail.

The cost-benefit analysis team will give Johnson County the ability to measure costs saved or avoided by reducing unnecessary confinement in the Johnson County jail and reporting this information to policy makers.

Steve Howe objected to the wording in goal number one in regards to increasing the number of *higher-risk* defendants Johnson County is able to supervise in the community. Chairman Mark Kessler suggested the words *higher-risk* could simply be removed from the goal statement without affecting the impact statement.

5. Juvenile Detention Alternatives Initiative Update

Betsy Gillespie provided an update on the Foundations program, Johnson County's new YRC II. Betsy stated they are already at capacity for males and have started a waiting list. They still have room for more girls; however, if they continue to have a waiting list for boys they might consider becoming a male only facility. Betsy also informed the council her department was in the process of reviewing its current policy, through discussions with juvenile judges, of shackling juveniles when they are inside the Courtroom.

Robert Sullivan updated the council about the work Laura Brewer and Dave McKune are doing on the Juvenile Detention Center Step-Down process. They are trying to decide the best way to conduct weekly assessments on kids housed in detention to determine which youth should be released to an appropriate alternative to detention. Based on the process review Laura observed in Portland, the review team would be made up of several stakeholders that review each youth's report to determine potential community-based alternatives to detention. The review process in Portland was held daily; however, Laura and Dave believe a review team in Johnson County would only have to meet once a week.

Robert also advised the council that a workgroup has been formed to look and youth crossing over from the child in need of care system to the juvenile offender system. The purpose of this workgroup is to look at the need for intentional and deliberate coordination between multiple local and state systems in Johnson County. The group wants to determine if there is a need (and the desire) for a multi-system approach by looking at the juvenile offender population that was placed out-of-the home in 2014. Then use a subset of that population as a sample and look specifically at those youth who had a CINC case filed at some point in their lives.

United Community Services of Johnson County

1. Johnson County Poverty Profile

Karen Wulfkuhle presented on Johnson County's Poverty Trends. Karen said if poverty was a city it would be the fifth largest and the fastest growing city in Johnson County. Its residents could fill Kauffman Stadium and at the current pace, could fill both Kauffman and Arrowhead Stadiums by the year 2026.

In order for families to get by in the Kansas City Metro area a person living alone needs to earn approximately \$30,100 a year to get by. A single parent home with two children has to earn \$62,500 and a two parent home with two children needs to earn \$66,700 in order to get by. The poverty rate in Kansas is 13.7% compared to 15.4% nationally. In Johnson County the poverty rate is 6.5%. The greatest rate of poverty can be found amongst 25 to 35 year olds. Most are living alone or with non-relatives. One in four have a Bachelor's degree or higher. Of the Johnson County residents who are poor, the majority of them are white, U.S. citizens, in families with at least one worker, and they have at least some college education.

Significant numbers of people move into poverty throughout their lives. Job losses or pay cuts most often trigger poverty spells. Most often a pay raise or job gain will lift a household out of poverty.

Karen informed the council the best way to reduce poverty was to provide jobs that offer competitive wages, predictable work schedules, paid leave and opportunities for advancement. Early learning programs for children have been proven to increase school success and develop skills that are in demand. Safety net and work supports like child care will also help stabilize individuals and help them become self-supportive.

Following Karen's presentation there was general discussion about what action could be taken by members of the council to assist people who are already experiencing poverty.

Closing Comments and Adjournment

The Chairman, at 4:43 p.m., declared the meeting adjourned.

2015 Meeting Schedule-- 3-5 pm Room 201 unless indicated.

Sept 1

Nov 3

Criminal Justice Advisory Council

Johnson County, Kansas

Criminal Justice Advisory Council

Meeting Minutes

September 1, 2015

Present:

Mark Kessler, Chair
Dolores Furtado, Vice Chair
Maury Thompson, Staff
Robert Sullivan, Staff

Members: Tim DeWeese, Ryan Dixon, Dolores Furtado, Betsy Gillespie, Mark Kessler, Mike McCulloch, Steven Menke, Tim Mulcahy, Marilyn Scafe, Annabeth Surbaugh, Anthony Taylor, Karen Wulfkuhle, and Hannes Zacharias

Guests: Doug Baker, Wayne Rector, Kathleen Rieth, Patricia Daniels, Shirley Miller, Naomi Strickland, and Andre Tyler

Welcome/Introductions:

Chairman Mark Kessler, at 3:08 p.m., welcomed everyone and declared the meeting in session.

Approval of Minutes:

Betsy Gillespie moved to approve the June 2, 2015, minutes. Ryan Dixon seconded the motion which Passed unanimously.

Criminal Justice Initiatives & Updates

- 6. Stepping Up Initiative update:** Robert Sullivan reported, as part of our involvement in the Stepping Up Initiative, that Johnson County has been contacted by several counties across the country to provide technical assistance about our local efforts to divert the mentally ill from our jail. We have been visited by McLean County, Illinois and Fulton County, Georgia; Robert presented at a conference in Pitt County, North Carolina on August 22nd, and El Paso County, Colorado is scheduled to visit us on October 15th and 16th.
- 7. JIMS – White House Office of Science & Technology Policy:** Robert Sullivan informed the council the White House had recently reached out to the Justice Management Institute (JMI) about the possibility of putting together a meeting of criminal justice coordinators to talk about ways to improve access to criminal justice system data and information sharing. JMI informed the White House that Johnson County has been an absolute standout in this regard with our Justice Information Management System (JIMS). In July Robert spoke with Lynn Overmann with the White House Office of Science and Technology Policy. Her office is trying to lead efforts on data innovation and criminal justice reform. Robert gave Ms. Overmann a broad overview of how JIMS operates and provided her with examples of how an end-user interacts with the system and the JIMS staff. Tim Mulcahy provided Ms. Overmann with detailed information on how Johnson County developed JIMS, the infrastructure required to operate an information management system like ours, the system's capacity, and the data governance structure we have in place.

The next steps currently in the works include a meeting at the White House at the end of October with criminal justice coordinators and top data technical experts from across the country to discuss innovations that are already occurring. Tim Mulcahy will be presenting.

8. **Justice Reinvestment Initiative update:** Robert reminded everyone the local Justice Reinvestment Initiative, not to be confused with the State of Kansas Justice Reinvestment Initiative, is in its final quarter. We will continue to work on the initiatives we started three years ago in order to reduce unnecessary incarceration moving forward.
9. **From Silo to System study:** The Justice Management Institute released a study that was funded by the John D. and Catherine T. MacArthur Foundation titled: *From Silo to System*. Johnson County's criminal justice system was listed as being one of eight highly effective systems identified in the study.
10. **Juvenile Detention Alternatives Initiative Update:** Betsy Gillespie reported it has been a slow summer. Today the Foundations census is 18 youth and it has been as high as 25 since opening in February 2015.

Betsy's department is sending Dave McKune, Judge Foster and Andre Tyler to the JDAI conference in Phoenix this year to represent Johnson County. The conference is a great opportunity to learn about alternatives other jurisdictions across the country are using to divert youth from detention.

Betsy also advised the council the weekend intervention alcohol and drug safety educational program is moving back to the Adult Residential Center, if approved by the BOCC during their September 10th agenda. It will require the BOCC to make a declaration that the Adult Residential Center is a confinement facility. The program is for 1st and 2nd time DUI offenders and satisfies the statutory 48 hour sentencing requirements. Additionally, Betsy reported that by moving this program back to residential center, Overland Park will begin using the program again for the first time since it was last housed there. If approved the program is scheduled to begin on November 1st.

Veterans Treatment Court

2. Tricia Daniels did a presentation about the work being done in Johnson County to implement the first Veteran's Treatment Court in the State of Kansas. Tricia spoke about the planning that has taken place since June 2014. It has involved site visits to Veteran's Treatment Courts in Missouri and close collaboration with the Veterans Administration and Justice for Vets. Tricia reviewed the data on veterans in the pretrial stage and community supervision.

The purpose of the Johnson County Veterans Court Program (VCP) is to provide a treatment alternative for diverting Veterans from incarceration into supervised treatment and supportive services, amplifying public safety and reducing the reentry of offenders to the criminal justice system.

Veterans convicted of one the following charges will not be eligible: sex offense, level 1-4 felony, DUI resulting in serious injury or death, drive-by shooting, previous conviction of a violent offense, or the charge falls within a presumptive prison or border-box.

The Veterans Court treatment team includes the Johnson County District Attorney's Office, the 10th Judicial District Court, Johnson County Court Services, Johnson County Public Defender's Office, Johnson County Mental Health, Veteran Mentor Program, Johnson County Sheriff's Office, and Avertest.

The Veterans Administration's role is to provide a liaison to the court. The liaison will participate in treatment team meetings, provide status reports concerning the defendant's treatment, and assist in treatment planning.

In Veterans Treatment Courts, veterans volunteer their time and energy to assist their fellow veterans with mentoring, including offering support securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status and other linkages available at the local, state and federal level.

Currently, volunteer Veteran Mentors in Veterans Treatment Courts are culled from a variety of sources including law enforcement, local bar associations, institutions of higher education, chambers of commerce and veterans in the community at-large. The nation's leading Veteran Service Organizations such as the American Legion, AMVETS, and Veterans of Foreign Wars have endorsed Veterans Treatment Courts and encourage their membership to volunteer.

Johnson County's Veterans Treatment Court team consists of the following:

- Judge – Judge McCarthy, primary and Judge Ryan, secondary
- Prosecutor – Ann Henderson, primary and Josh Brunkhorst, secondary
- Defense counsel – Michelle Durrett, primary and Peter Conley, secondary
- Community Treatment provider - Dan Livingston - JCMH
- Treatment Court Coordinator - Tricia Daniels - Court Services and Kathryn Marsh - private counsel
- Community supervision representative – Tom Whitworth, primary and Carrie Neis, secondary – Court Services
- Law enforcement - Lt. Erin O'Donnell- JCSO
- Evaluator/researcher – Barry Haldiman - JIMS
- Veterans Justice Outreach Coordinator – KCMO VA - Kelly McDaniel interim
- Mentor coordinator – Jon Grams-private attorney

Osawatomie State Hospital Update

1. Tim DeWeese provided an update on the moratorium on admissions to Osawatomie State Hospital. At any given time there are between five and nine Johnson County residents in the hospital. Tim explained these numbers are low considering the size of Johnson County's population.

Tim advised as of October 12th the community mental health centers across the state will no longer be responsible for conducting preadmission screenings for inpatient treatment. Screenings account for approximately \$600,000 a year in revenue for the center. He is not sure what the new screening process will look like after the state takes over.

Cottonwood Springs is a behavioral health company that is opening its doors in Olathe. Tim said they will be looking to serve individuals who have commercial insurance. Medicaid cannot pay for people between the ages of 18 to 65. They are located at 13351 S. Arapaho Drive.

2016 Meeting Schedule

1. Robert will send out 2016 meeting dates to all of the council members so they can add them to their calendars.

Closing Comments and Adjournment

1. The Chairman, at 4:43 p.m., declared the meeting adjourned.

**2015 Meeting Schedule-- 3-5 pm Room 201 unless indicated.
Nov 3**

Criminal Justice Advisory Council

Johnson County, Kansas

Criminal Justice Advisory Council Meeting Minutes for November 3, 2015

Present:

Mark Kessler, Chair
Dolores Furtado, Vice Chair
Robert Sullivan, Staff

Members: Tim DeWeese, Ryan Dixon, Betsy Gillespie, Tim Mulcahy, Marilyn Scafe, Anthony Taylor, Karen Wulfkuhle, Pat Colloton, Ellen Hanson, Andre Tyler (designee for Katherine Stocks by approval of the chairman), Aude Negrete and Ken Sissom

Guests: Wayne Rector, Kathleen Rieth, Steve Obermeier, Judge Kathleen Lynch, Julie Solomon and Thomas Keary

Welcome/Introductions:

Chairman Mark Kessler declared the meeting was in session at 3:04 p.m. and welcomed everyone. The chairman recognized Marilyn Scafe for all of her years of service an announced today would be her last council meeting.

Approval of Minutes:

Tony Taylor moved to approve the September 1, 2015 minutes. Judge Ryan Dixon seconded the motion and it was passed unanimously.

Reports & Presentations:

Tim Mulcahy reported on his and Robert Sullivan's participation in the Data-Driven Justice workshop hosted by the White House on October 28th. Tim was asked to present on the Justice Information Management System (JIMS). Having to follow a very strict time limit Tim was able to describe how JIMS combines the sheriff's office, district attorney, courts and probation departments into one fully integrated system. Tim provided examples of how Johnson County uses data to reduce unnecessary incarceration and track individuals from the point of arrest until their discharge from the jail or probation. There were also presenters from Boston College Law School and Multnomah County, Oregon. Both Tim and Robert expressed disappointment that Johnson County did not have more time to go into greater detail about JIMS capabilities. Robert thought one of the most innovative ideas discussed was the leveraging of health platforms and data exchanges. This is currently being done in Camden and Milwaukee. Both of these cities have formed real-time data exchanges, starting with health data and later expanding it to include both criminal justice and school data. Using this data has helped them identify the frequent utilizers of public health and criminal justice systems, hotspot geographic areas, an implement and test promising interventions. Representatives from the Camden Coalition agreed to share examples of the legal data sharing agreements they developed in collaboration with the Camden Police Department, school districts and local hospitals.

Marilyn Scafe and Pat Colloton both recalled a project very similar to this one taking place in Wichita around 2003 to 2006. They thought it was a collaborative effort between KDOC, the Council of State Governments and Sedgwick County.

Betsy Gillespie provided a report on the Juvenile Detention Alternatives Initiative (JDAI). Betsy informed everyone Dave McKune, director of the Juvenile Services Center, has announced his retirement. Dave's last day with Johnson County will be December 18th. Betsy reported Judge Foster, Andre Tyler and Dave McKune attended the September JDAI conference in Phoenix, Arizona. Betsy informed the council that juvenile detention is eliminating isolation for rule violations and they are working to reduce the number of youth wearing restraints during their court appearances. The decision of whether or not the youth are restrained is determined by their risk-assessment. Betsy also advised the juvenile detention center recently had an all-time low of only eight youth detained. The utilization review committee, currently chaired by Laura Brewer, continues to meet in order to review cases for possible alternatives (e.g., Functional Family Therapy referral or placement into a Psychiatric Residential Treatment Facility). The next JDAI Collaborative meeting is scheduled for December 4th. They will be reviewing the data on two-tiered warrants and court date reminder calls.

Tim DeWeese provided an update on the Osawatomie State Hospital (OSH) moratorium. The additional beds will not be open by November like originally thought. There is concern the beds may never be made available due to the state's current budget situation. As of this morning Johnson County only had four individuals in OSH. Tim credited this low number to the collaborative efforts of Wyandot, Inc., Johnson County Mental Health Center and KU Med to make RSI, Inc. an alternative to hospitalization. Tim said the mental health center is looking at \$600,000 in unrealized revenue next year due to the state's decision to stop using the center to conduct preadmission screenings for inpatient treatment. Tim is concerned people leaving the hospital too soon puts them in a worse situation than they were in before they were admitted.

Tim also provided an RSI, Inc. update. About two months ago the state committed to funding RSI, Inc. until the end of fiscal year 2017. The challenge moving forward is figuring out how to fund the program after the state pulls their funding. Representative of RSI have been looking for a new location because KU Med has plans for RSI's current location. The focus has been on the corridor of Johnson Drive and State Street so it is easily accessible for law enforcement. Currently they are reviewing all options, both rental properties and those for sale.

Dolores Furtado expressed the need to raise public awareness about this issue. Pat Colloton said members in the legislature believe mental health is going to be a major topic for discussion this year. Both Dolores and Pat recommended we invite all of our local legislatures to a joint meeting with the Mental Health Center's advisory board and the Criminal Justice Advisory Council so we can share our concerns.

The next item on the agenda was a presentation by Judge Lynch, Wyandotte County District Court; Julie Solomon, Chief Strategic Officer with Wyandot Inc.; and Thomas Keary, CIT Officer with the Overland Park Police Department. They conducted a panel discussion on their proposal to amend K.S.A. 59-2946 to define 24-hour crisis observation facilities and to give behavioral health providers in communities with such facilities the authority to keep individuals in crisis for up to 72 hours of emergency observation and treatment. They began by listing some of the problems with the current situation: moratorium on state hospital beds; 24/7 crisis centers are only permitted for voluntary admissions; the petitioner currently has to wait an average of 22 hours for a bed to open at OSH (and there is nothing to do with them in the meantime); the wait times in hospital emergency rooms are long and the hospitals get to pick and choose who they accept; and finally, persons in crisis are ending up in jails, emergency rooms, or not receiving any treatment at all.

The panel explained that the current statute has not been updated since 1996. Their proposed amendment would give behavioral health specialists the authority to provide involuntary care and treatment to someone who is in crisis. Currently, this authority rests with the judge. The Emergency Observation and Treatment (EOT) would only apply to people who are deemed a danger to themselves or others and the involuntary commitment could only last up to 72 hours or until the crisis was resolved. Their proposal would also include post-adjudication of recovery centers and provide immunity to law enforcement officers and sovereign immunity for tort claims protection. They are proposing that the State of Kansas should have the responsibility of designating facilities as recovery centers.

Similar legislation has been passed in Texas, Arizona, Colorado, California, Indiana, Massachusetts and Georgia. Studies done in San Antonio have found 45% are stabilized in 48 hours. Both TX and Arizona have said if they could change their law, they would move it from 48 hour to 72 hours in order to stabilize even more individuals prior to involving the court system. Some of the other benefits if passed: people will be treated closer to their home and natural supports; it will reduce unnecessary criminal justice involvement and reduce involuntary commitment petitions; a person can be stabilized in a recovery center environment as opposed to a state mental hospital environment; it will give law enforcement, family, and behavioral health professionals a 24/7 access point for people in crisis; improves discharge planning to community mental health centers; and, it tailors the law so that it is more aligned with emerging best practices.

Recovery centers would have a no wrong door policy. Law enforcement could bring people suffering from a substance abuse or mental health crisis. Within the first 24 hours a second behavioral health professional would need to review the petition and assess the individual to determine if they still met criteria. At 48 hours, if the person is still not stabilized and still meets criteria, the appropriate behavioral health professionals would begin the process of filing a formal involuntary commitment petition with the District Attorney's Office before the 72 hour window has elapsed. Additionally, a person can decide to voluntarily commit themselves at any time during the 72 hour period.

The procedure for behavioral health professionals, family or friends of a person in crisis would be for them to file the necessary paperwork and bring it to any state approved recovery center. The medical doctor or other designated behavioral health professional will review the petition and speak with the petitioner and any other appropriate sources to determine whether or not the person in crisis meets EOT criteria. If there is agreement, a pick up order will be issued for law enforcement to bring the person in to the recovery center for further assessment. The same process as outlined above would then apply.

Following the presentation there was general discussion and several questions before a motion to support the EOT legislation was made by Judge Ryan Dixon and seconded by Ellen Hanson. The motion passed unanimously.

The next item on the agenda was an update on the co-responder program expansion. Robert Sullivan provided a color-coded map of Johnson County showing current co-responder coverage (Olathe & Overland Park), pending co-responder coverage (Shawnee & Lenexa), proposed co-responder coverage (northeast Johnson County), and the remainder of the county where there is currently no co-responder assigned. Robert advised the council the mental health center was currently discussing the budget and MOU for a shared co-responder position in Shawnee and Lenexa. It is hoped that a co-responder might be embedded in Shawnee/Lenexa by the first of the year. Robert also informed the council that talks have just begun with municipalities in Northeast Johnson County about the feasibility of embedding a shared co-responder in Prairie Village and/or Leawood. This position would also serve Merriam, Mission, Westwood, Roeland Park, Mission Hills and Fairway.

Closing Comments and Adjournment

During closing comments Betsy informed the council Governor Brownback toured the Adult Residential Center and announced during his press conference that Johnson County's program was a model for the state. Betsy also recognized Tony Taylor. Tony also met with the governor to share his personal story and accompanied him on the tour.

The chairman had to leave the meeting early so the vice chair declared the meeting adjourned at 5:00 p.m.

2016 Meeting Schedule:

January 5th	Rooms 202-204
March 1st	Room 200
May 3rd	Rooms 202-204
June 7th	Room 200

September 13th
November 1st

Room 200
Rooms 202-204