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Sedgwick County Criminal Justice Coordinating Council (CJCC)		
Meeting Minutes: 6/22/2017	Location: Sedgwick County Detention Facility, 2 <sup>nd</sup> Floor Training Room	Prepared by: Elizabeth Biles, Management Intern
Attendance		
Voting Members (nine is a quorum)	Voting Designees	
<input checked="" type="checkbox"/> Chief Judge James Fleetwood, 18 <sup>th</sup> Judicial District (Chair)		
<input type="checkbox"/> Chief Judge Jennifer Jones, Municipal Court of the City of Wichita	<input checked="" type="checkbox"/> Chief Probation Officer Gail Villalovos	
<input checked="" type="checkbox"/> Sheriff Jeff Easter, Sedgwick County	<input checked="" type="checkbox"/> Undersheriff Brenda Dietzman	
<input type="checkbox"/> Chief of Police Gordon Ramsey, City of Wichita	<input type="checkbox"/> Deputy Chief Jose Salcido	
<input type="checkbox"/> District Attorney Marc Bennett, 18 <sup>th</sup> Judicial District	<input checked="" type="checkbox"/> Deputy District Attorney Ann Swegle	
<input type="checkbox"/> Chief Public Defender, Mark Rudy, Sedgwick County	<input type="checkbox"/> Deputy Public Defender Jama Mitchell	
<input type="checkbox"/> Chief Deputy City Attorney, Sharon Dickgrafe, City of Wichita	<input type="checkbox"/> Assistant City Attorney Jan Jarman	
<input checked="" type="checkbox"/> Director, Glenda Martens, Sedg. Co. Depart. of Corrections	<input type="checkbox"/> Corrections Administrator Jay Holmes	
<input checked="" type="checkbox"/> County Manager Mike Scholes		
<input type="checkbox"/> Commissioner Richard Ranzau, Sedgwick County		
<input checked="" type="checkbox"/> Commissioner Jim Howell, Sedgwick County		
<input checked="" type="checkbox"/> Council Member Lavonta Williams, City of Wichita		
<input checked="" type="checkbox"/> Executive Director Marilyn Cook, COMCARE of Sedg. Co.	<input checked="" type="checkbox"/> Director Tisha Darland, Crisis & Access Services COMCARE	
<input checked="" type="checkbox"/> Deputy County Manager Tom Stolz		
<input type="checkbox"/> Criminal Presiding Judge Jeffery Goering, 18 <sup>th</sup> Judicial District		
<input type="checkbox"/> Sedgwick County Association of Cities, Vacant		
<b>Ex Officio Members:</b>		
<b>Other attendees:</b>	Stephen Owens (KBAA), Tom Struble (Corrections), Dr. Rohrig (RFSC), Mark Orr (Public Defender Office), Sandra Flanders (District Court Adult Probation), Jared Schechter (SCSD), Karen Powell (County Counselor's Office), and Laura Oblinger (Sheriff), Tadayoshi Kawawa (Budget), Elizabeth Biles (Manager's)	



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Council Chair, Judge James Fleetwood, called the June 22, 2017 meeting to order at 10:03AM. A quorum was present.

1. Approval of Minutes
  - a. Motion was made by Judge Fleetwood to approve the October meeting and March meeting minutes. Seconded by Tom Stolz. Approved by voice vote.
2. New Business
  - a. Introductions. Tadayoshi Kawawa introduced Elizabeth Biles and she is the new Management Intern assigned to CJCC. Marilyn Cook introduced Tisha Darland, new Director of Crisis and Access Services. She will be Marilyn's voting designee as well.
  - b. Population Report
    - i. Undersheriff Brenda Dietzman spoke about the current inmate numbers, which includes a recent high of 215 out of county inmates, which is high for this time of year. She noted that yesterday there were 110 people in booking alone. They are noticing a spike in numbers and about 70% are pre-trial felons.
    - ii. Judge Fleetwood asked if the Sheriff's office has identified any trends related to the uptick in numbers. Undersheriff Dietzman stated that violent crimes have increased. The Sheriff has returned from a meeting in Washington D.C. where he met with Jeff Sessions and Vice President Pence; new statistics were shared and violent crimes are up across the nation. There is a new trend with violent crimes. In prior years, if an individual killed someone, it was only them and they didn't bring any witnesses with them. Now, violent crimes involve multiple people, which is filling the jail faster. These violent crimes are across the board including gang-related.
    - iii. Deputy County Manager Tom Stolz asked if the Sheriff's Office has spoken with Wichita Police Department about crime rates and is there a sharing of data between agencies. Undersheriff Dietzman has not seen that data. Judge Fleetwood added that they are also seeing increased criminal offenses among juvenile offenders. Stolz recommended to Judge Fleetwood that at the next meeting Wichita Police Department come and share about crime rate statistics, since six month numbers will be available soon. There is something happening which is causing 110 people to be in booking.
    - iv. County Manager Mike Scholes inquired if anyone in addition to Chief Ramsey from WPD normally attends CJCC. Stolz recommended that in addition to have WPD, we should reach out to Derby PD, Haysville PD, and Goddard PD. Undersheriff Dietzman stated that Park City is a bigger driver than Derby. Judge Fleetwood asked if those Police Departments should have members on CJCC. We should look at the data and see who the biggest players are and consider adding them to the council. Stolz informed Commissioner Howell that a BOCC action would be required in order to change the voting membership of the CJCC. Judge Fleetwood



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clarified that we should look at the data to see if they need to be added to CJCC or if we should just invite them in to speak. Undersheriff Dietzman added that there is a small town police chief organization and we could ask the President, Ken Winters, to participate. Judge Fleetwood stated that the president might be the person to add instead. Stolz recommended that we invite Winters to the next meeting and review states and make a decision after that.

### 3. Old Business

- a. Judge Fleetwood provided an update on Senate Bill 367. We are seeing more violent crimes among juveniles, and SB 367 will affect how the courts are able to handle these cases. Director Glenda Martens Department of Corrections added that while crimes being committed by juveniles are more severe, the population numbers have not jumped. Population is maintaining at about 53 which is lower than last year. Martens added that SB 367 keeps the more severe juveniles are sitting in detention and the less severe are out in the public and are monitored differently. One of the changes with SB 367 is that intensive supervision officers and court service personnel cannot put in a probation violation on the first or second offense. Now it has to be three before they can be held in detention. This is a graduated sanctions approach, so there are fewer juveniles being held in detention for technical violations. Judge Fleetwood added that in Sedgwick County, in anticipation of SB 367, added some proactive steps, which have aided in our managing of this population. Martens added that there are monthly detention utilization committee meeting to talk about the detention population and trends about crimes and the court process.
- b. Marilyn Cook, Executive Director of COMCARE, provided an update on House Bill 2053, previously called the Emergency Observations Treatment Bill was passed this year as the Crisis Intervention Act. This would allow community health centers that have crisis centers, to hold patients for 72 hours involuntarily. No expectations have been articulated with regards to facility changes, staffing ratios, etc. More details are expected in one month. Judge Fleetwood asked if these are individually who previously would have been taken to the jail. Cook stated that may be true for some.
- c. Marilyn Cook, Executive Director of COMCARE, provided an update on the moratorium of Osawatomie State Hospital (OSH), which has now reached the two year mark. When OSH was decertified, it was broken into two hospitals, one being the Acute Care Hospital (ACH) with 60 beds; this side went through a renovation as it had most of the violations. The Center for Medicare and Medicaid Services (CMS) completed a site visit in early May on the ACH to determine if it could be recertified. ACH did not pass the recertification and new deficiencies were found, many in non-patient related functions and food services. CMS will return to try and recertify, but it wasn't clear if they would do a full evaluation or check the most recent areas of deficiencies. Either way, there still must be an assurance period after the survey to ensure they have embraced the changes. KDHE visited the other part of the facility, the licensed care facility, and



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deficiencies were found. Corrective actions are being implemented and the moratorium continues.

- d. Marilyn Cook, Executive Director of COMCARE, provided an update on update on House Bill 2313, which was going to designate money from the sale of lottery vending machines to crisis centers. 75% was going to sustain crisis centers and 25% to provide funding to the Breakthrough Club. It passed both chambers but was vetoed by the governor. Monday is the last day of the legislative session and it is unlikely that all the legislators will come back, unless the governor has line-item vetoed something in the budget. We need to look for sustainable funding for crisis centers as it is unlikely that the legislators will override the veto.
  - i. Scholes asked how many people can be held for 72 hours with their renovations and are resources in place to begin the 72 hour holds. Cook stated that the resources are not in place. More medical staff are needed and the funds for them. There is an unanswered question about if someone being held has an acute medical condition, is the crisis center responsible for them. Stolz asked if someone is being held and becomes violent, will PD/Sheriff still be called or can they remain there. Cook answered that the crisis center could hold them. Scholes asked how many can be held. Cook stated that it depends and we currently have two places they can be held: crisis observation on N main and at E. Morris. At N. Main, those are recliners so staff would need to feel comfortable with their behavior and that they would not affect those in other recliners; recliners are designed for 23 hour observation. At E. Morris they can be held longer because there are separate bedrooms; this is most likely where the 72 hour holds would go. Sufficient nursing staff would be needed in addition to current security at both locations.
  - ii. Stolz stated that he could see benefit to the 72 hour holds for police/sheriff and the ERs. Cook stated that a majority of the people who come in now are non-resistant to getting help, once they speak with a clinician they ask to stay for observation. The recliner observations seem to relax individuals and it keeps them out of higher levels of care. Logistics need to be thought through for the 72 hour holds. Scholes asked how the local hospitals are equipped for observations. Cook stated that the ER on Harry has 6 rooms in the assessment center. Individuals are staying in those rooms for days and days and that includes individuals waiting for Osawatomie who may be dangerous. This includes them sitting in the halls and being near regular ER admissions. Sometimes they are placing them in ICU rooms, which is expensive, when they need to segregate them. Stolz added that Via Christi has the capacity to admit individuals into basically a psych ward. Cook clarified that they do not admit the ones who are violent and they have limited beds. By December, St. Joseph is converting part of their basement into a psychiatric emergency service center which will replace the assessment center. They will have recliners and the ability to move them to another unit if needed.



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- iii. Scholes stated that they may have better capability than the crisis centers, but it is still an overwhelming task. We need to determine our part, because the state is pushing this care to the local level. Cook stated that as mental health centers need to be asking more questions to OSH, who now sees themselves as acute care. We are currently mandated to assess and screen individuals but OSH is taking those as a recommendation and they are denying admissions to individuals that we say need that level of care. Judge Fleetwood stated that in addition to St. Joseph we also have Good Shepard for local long term care. Cook added that Good Shepard has facility infrastructure issues so Via Christi is working to move all psychiatric services to St. Joseph campus by middle of next year. As part of this move, all rooms will move to be individual rooms which will allow them to take more individuals. There are fewer crisis center options now across the state.
- iv. Judge Fleetwood stated that those closures are aggravating the jail problem, as they should be in treatment. Jails are becoming mental health centers. Tisha Darland added that while some individuals are waiting for admission/denial to OSH, they are picking up charges because they are not receiving true treatment. Scholes stated that it isn't bad that local services are providing primary services to local individuals, but we need to figure out how much need exists beyond our capabilities. We need to take a regional approach to financing this, because we may not get much/any from the state. Cook stated that in the Johnson County area, their provider Rainbow got \$3 million for three years while we got \$1 million. A Power Point has been developed with pieces from the Sheriff, Via Christi, Comcare to present a local evaluation about the program and how those pieces fit together. This is a similar approach that Johnson County took and it was very effective. Scholes added that when we have opportunities like that, we need to make them as effective presentation as possible. We need to show unity and support for the Sheriff when he does these presentations by having others from this group there as well. We need to have a strategic plan because this problem is only going to get worse and will be a drain on our resources. Under Sheriff Dietzman added that they plan to take legislators on tours of Comcare and the Jail. Judge Fleetwood added we cannot let the Legislators walk away thinking this is a local issue. These are transient populations and we are dealing with a state-wide problem locally and we need state support. This committee should work to organize these efforts.
  1. Judge Fleetwood inquired about the status of a previously discussed distribution list. Stolz stated he would follow-up with Wes Ellington on status of it. Karen Powell added that this committee is subject to KORA. Distribution of information among all members is fine but business of CJCC cannot be discussed via e-mail.



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- v. Commissioner Howell stated we started the community crisis center with a \$1 million grant; what was the original discussion about future funding. Cook stated that the funding is a constant conversation with the state. We have kept data to show outcomes and currently we get money when we ask for it. Cook would like to move to securing funding for 3-4 years at a time like Johnson County. SB 2313 was anticipated to assist with this and would have generated \$1.3 million for Sedgwick County. \$1.3 million is the amount we were short last year in terms of patients without coverage; could have grown to \$8 million statewide in 2019. Only two centers in the state, Sedgwick and Johnson Counties. Valeo in Topeka has a crisis house but it was a bond built facility; in Lawrence they are getting community support to build. The Legislatures put money in the KDADS budget for community crisis centers until SB 2313 passed, so that money is now gone.
- vi. Commissioner Howell asked if the Southcentral delegation has been engaged on this issue. Cook stated that they have been informed. Commissioner Howell stated he would be glad to get more involved and help liaison with the Governor's office and help the group develop a message to send with him. By not funding crisis centers, we can make a case it is going to cost the state more money. We need to communicate back to the state how bad this situation is and we need the state's help to get through this next year. Howell added that he has a lot of contacts at the state level and would like to be involved with taking this issue to Topeka.
- vii. Sheriff Easter suggested the creation of subgroups within CJCC to look at specific problems. Sheriff's office worked to get stakeholders together to talk about their experiences with these issues and their concerns regarding the mental health issue. OSH sees itself as short term care but we have individuals who need long term care. There is not option in the state of Kansas for them. We've invited the southcentral delegation to meet with our working group and the city and county manager, to ensure they understand the issues we are having and that they have to do something to assist us. By State law, hospitals can stop taking people tomorrow and then Comcare will have to handle everything and they lack the needed resources. Opioid use is at critical levels nationwide and it headed our way. There are two programs with experimental approaches that have had great success. One is to have treatment bed within the community and the process gets individuals into a bed within 45 minutes. Incarceration is not helping. This subgroup could look at opioid program treatment options. Many of the needed people are already in the room.
- viii. Sheriff Easter explained additional population issues related to changes in immigration procedures. Individuals are getting bonded out and then deported, which means bondsmen are not recovering their money and are now more hesitant to bond certain individuals. Sheriff's office is attempting to get access to the ICE system (287G) through a federal program and for Sheriff's office to run everyone through the system. A



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detainer will be placed on an individual and this will help solve the DA/Bonding issue. Access to the software would be through an MOU with ICE and access would be available 24 hours a day at the detention facility only. New fingerprint scanners are needed and this would be provided through the agreement along with training to use the software. ICE will have three days to take individuals with the detainer to an immigration judge.

- ix. Councilwoman Lavonta Williams expressed interest in being involved with the subgroup related to the opioid problem. She asked what federal assistance will look like to help with these issues. Sheriff Easter stated that the President has proposed \$5 billion for earmarking dollars for law enforcement. Specifics are not known but there will be grant dollars to address mental health and opioids.
- x. Stolz asked what data do we have and what more do we need; there is no way to track some numbers since there is no signal for opioid use and hierarchy of designations within agencies. We need to reconsider our statistical gathering processes. Sheriff Easter stated that New Jersey has used zip codes to bypass HIPPA in order to determine which neighborhoods to target. Law enforcement had to change some of their tracking systems. This is a public health approach instead of a law enforcement approach.
- xi. Judge Fleetwood recommended that at the next meeting Sheriff Easter present a plan/action steps a subgroup for opioids in addition to subgroup for mental health. Look at the data and determine which individuals need to be involved.
  1. Stolz recommended Adrienne from the Health Department be involved. Sheriff Easter stated that individuals from all treatment centers and counseling should be involved with the subgroup.
  2. Karen Powell reminded the group that subgroups are open to KORA. Notice of meetings must be given, membership must be clear, minutes recorded, must be open to the public and quorum must be present to conduct business. Subgroups are open to the public but do not have to be open for public comment.
- xii. Judge Fleetwood recapped needed actions for the next meeting. Sheriff Easter will bring a plan and suggestions for subgroup members. Commissioner Howell will draft a message on behalf of the group to the Governor addressing the following points: mental health is not just a local issue, funding amounts need to be identified, they need to be given a picture of the current situation faced here within the hospitals, we need a better funding source, and we need the moratorium stopped on OSH.
  1. Commissioner Howell stated that he would like an additional person or two to go with him to speak with the Governor about needs for the next fiscal year. Next year we can approach the legislators about creating a stable funding stream.



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2. Trisha Darland stated that another point to pass along is that some individuals are ordered into care and treatment by judicial order but there are no hospitals in that state where we can send them.
4. Other Business
  - a. Next meeting is July 27, 2017.
5. Public Comment
  - a. None

Meeting adjourned at 11:28am.

Action Items	Person Responsible	Target Completion Date
Crime rate statistical review with Wichita Police Department		Next meeting
Invite Ken Winters, President of small town chiefs association to next meeting		Next meeting
Status of email distribution list	Tom Stolz	Next meeting
Draft letter on behalf of CJCC to Governor Brownback	Commissioner Howell	Next meeting
Bring a plan and suggestion for subcommittee members to address mental health and opioid issues	Sheriff Easter	Next meeting