

Criminal Justice Coordinating Council

NOTES

DATE 9/22/16

ATTENDEES

Voting Members

- Judge James Fleetwood Judge Jennifer Jones Judge Jeffrey Goering
- Sheriff Jeff Easter Chief Gordon Ramsay District Attorney Marc Bennett
- Commissioner Richard Ranzau Commissioner Dave Unruh Marilyn Cook
- City Council Member Lavonta Williams Sharon Dickgrafe Mike Scholes
- Glenda Martens Mark Rudy Tom Stolz Vacant SCAC

Ex Officio Members and Others in Attendance

- Ann Swegle* Steven Stonehouse* Jason Scheck* Gail Villalovos*
- Undersheriff Brenda Dietzman* Jama Mitchell* Capt. Scott Heimerman*
- Judge William Woolley* Tom Golden* Judge Ben Burgess Karen Powell
- Renfeng Ma Clay Germany Timothy Rohrig Tadayoshi Kawawa
- Wes Ellington Roger Taylor Melinda Wilson Stephen Owens
- Janice Bradley Russ Pataky Mary Dean Jennifer Baysinger
- Lisa Tipton Ellen House Bill Anderson Walt Chappell Dan Soliday
- Devin Walt John Todd Courtney Carpenter Jay Holmes
- Jared Schechter Doug Ballard Djuan Wash

* Voting designee

LOCATION

Detention Facility, 2nd Floor Training Room

ACTION ITEMS

PERSON RESPONSIBLE

COMPLETION DATE

None

Discussion

Council Chair Judge James Fleetwood called the meeting to order. A quorum was present.

1. Approval of Minutes
 - a. July 28, 2016 meeting minutes were approved.
2. New Business
 - a. Population Report
 - i. Sheriff Jeff Easter went over the monthly population report with the Council. He noted that there has been a sustained spike in the jail population beginning in August. The average length of stay is also up. Violent crime is up and his department is seeing a higher number of arrests per crime. Most of the jail is filled with violent offenders. They are also backlogged on journal entries. This is due to things such as receiving a large number of KDOC transfer packets all at once instead of on a regular basis. Bookings are also up. The increase in violent crime results in longer stays which is leading to an increase in the jail population. Some programs he and his staff are looking at provide job skills and certifications, but do not directly reduce the jail population. He did note that many of the new violent offenders would not qualify for these programs.
 - ii. Another issue mentioned by Sheriff Easter are the programs developed by CJCC, such as Drug Court and Mental Health Court, and how they are plateauing. They



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- are unable to serve more people without additional resources. The choices he sees are to either expand the programs or look at other options.
- iii. County Commissioner Ranzau asked if the upward trend in violent crime is local or national. Sheriff Easter and District Attorney Marc Bennett answered that violent crime is up nationwide. Violent crimes, such as aggravated robberies, homicides and sex crimes involving children, are up but property crimes are not. Sheriff Easter explained that there have historically been spikes in the jail population during the summer months, but the number of people from outside the County are unprecedented during his four years here.
 - iv. Sheriff Easter brought up the issue of the Day Reporting program. There are several issues related to this program, but starting in July, the number of participants dropped from eighty to less than forty. He would like to know if this could possibly be contributing to the rising jail population. City of Wichita Chief Probation Officer Gail Villalovos clarified that in light of reduced funding, the City decreased the number of people recommended for the program the rest are on probation. Sedgwick County Assistant Manager of Public Safety Tom Stolz noted that some of those individuals could be in jail.
 - v. Sheriff Easter noted that, on a positive note, programs such as AISP, Drug Court, Residential and Day Reporting have a total number of participants higher than the jail population, meaning that there are more people out of jail than in jail and these programs are working. There are similar successes with diversion and probation. This all goes back to the rise in violent crime and the rising jail population because many of those individuals are not eligible for those programs.
 - vi. Sheriff Easter focused on the fact that the average number of days for journal entry completion is up. He believes the Council should take a closer look to identify the driving factors behind this. He said that one thing he and his staff have looked at is the bond schedule with the Wichita Court. They are working with Judge Jones on the bonding schedule.
 - vii. Sheriff Easter said that another challenge for them has been when people show up for their 2-3 day commitments. Typically these people show up on the weekend without any advance notice. Judge Fleetwood said that this is a legislative issue regarding recent changes to criminal law. It is part of a graduated system of sanctions before an individual can be sent to prison. Sheriff Easter said that this is a huge drain on their resources because they have to shift people out of the jail due to the fact that they don't know how many people show up to be booked over the weekend. It is a challenge to make sure that they don't waste resources shipping too many or not enough people out of county. He said that it would be a great help if they could be given some notice of how many people to expect. If a list is generated, Sheriff Easter said that he would like it sent to Captain Jared Schechter.
 - viii. Judge Fleetwood characterized his takeaway as the special programs are plateauing and there is a rise in people that are not eligible for those programs. Sedgwick County Assistant Manager Tom Stolz added that the current situation is akin to the 1980s. The group, including municipal law enforcement that feeds people into the County system, must take a look at the front end of the problem and assess what can be done as a community. He went on to mention community policing and other efforts that helped to stem the tide in the 1980s and possibly resurrecting those initiatives. Sheriff Easter noted that he and Tom were both at the WPD when, due to budget cuts, School Resource Officers (SROs) were eliminated. They both predicted that in five years, problems would



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begin to manifest. It is currently six years since that time. Assistant Manager Tom Stolz added that it takes a generation to realize the results of both good work and bad work. He also noted one difference between now and the 80s: the internet. This has facilitated some of the crimes that have seen a huge increase, such as sex crimes against children. Judge Fleetwood noted that, unfortunately, community initiatives, and other approaches to the problem on the front end, fall outside the scope of CJCC as outlined in its bylaws.

b. Community Crisis Center

- i. COMCARE Director Marilyn Cook informed the Council that the renovations for the Community Crisis Center are complete. The detox and Community Crisis Center staff will be housed together. She has been speaking with Sedgwick County Communications to plan an open house.
- ii. Dir. Marilyn Cook said that COMCARE has a draft of the follow-up study, now called the post-implementation study, of the Community Crisis Center (CCC). Dr. Nancy McCarthy Snyder from Hugo Wall at Wichita State University had published the original study in 2013. She had planned to do the follow-up, but retired this past spring. The first study focused on expected cost-savings to be realized through the CCC. The report had high, medium and low figures. The low figure for savings was \$4 million and the high was \$5 million. She began the new study but was unable to finish it. Lisa Dodson, also from Hugo Wall, agreed to finish the study. Her staff is meeting with Ms. Dodson next week to confirm the numbers because they would like to use them for sustainability purposes. Initially, it appears the amount of savings is double the original estimate. If medical detox is added, then that number doubles again. Once the numbers have been vetted, she will be happy to share the report at the October CJCC meeting.
- iii. The savings realized from CCC are timely because the mental health hospital bed moratorium is still in effect. Two weeks earlier, KDADS Secretary Tim Keck came and spoke to the community about his agency asking CMS for recertification of the Osawatomie facility.
- iv. Sheriff Easter said that the mental health moratorium is contributing to the difficulties in his department. One individual has been waiting 118 days for his mental evaluation competency hearing to go to Larned. Last he checked, there are 12 other individuals. The numbers are increasing and getting worse.

c. Day Reporting

- i. Wichita Chief Probation Officer Gail Villalovos said that Day Reporting is a good program which takes a more comprehensive approach and is effective in combating recidivism.
- ii. Sedgwick County Assistant Manager of Public Safety Tom Stolz brought up the fact that the County contract for Day Reporting expired at the end of June. There have been conversations within the County regarding Day Reporting, and Mr. Stolz would like to discuss the value of the program and the County's role in it. He asked whether the County or the individual should provide that and if it would be a workable model. Chief Prob. Officer Villalovos said that she had a report regarding Day Reporting in her old county in CA and that she would pass that along to Mr. Stolz. Judge Fleetwood said that it is a good program and was working well for the right population. They also were effective in dealing with substance abuse. However, due to the fact that it was very effective, judges began sending a large number of people there and it became overwhelmed. It is currently not readily available for Distric Court judges, but they would use it if it was available. County Manager Mike Scholes described the dilemma of the



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County. They have a small number of people, seven for example, so it becomes a question of whether it is worth \$250,000/year or if that money can be better spent elsewhere.

- iii. District Attorney Marc Bennett said that there hasn't been a great deal of consistency in other programs in the community and that there are few revenue streams for them. He went on to share an anecdote about someone whose child had substance abuse issues and ended up sending them to inpatient treatment in Florida because there were no viable options in the area. He also raised questions about the effectiveness of Osawatomie when it still had its certification. He described it as a slow-moving revolving door where someone stays for a short time before being brought back to their community. Judge Fleetwood described their goal as being stabilization, but also noted that the definition of stabilization has changed. If someone is taking their medication, understands the need for it and are not threatening others, then this may meet the current definition of stabilization. In order to assess the value of the programs, DA Bennett suggesting looking at the numbers when there were more robust programs in place. Deputy Director of Corrections Programs Steven Stonehouse said that he believes Day Reporting is important, but that it is a program serving a niche population. It is a challenge to make sure its scope is not too wide or too narrow, especially considering that it is an expensive process. County Manager Scholes noted that the issue may be judges going beyond the size and scope of the program and using it as an alternative to jail because the option is there, regardless of whether or not it is appropriate.
- iv. Judge Fleetwood expressed a need to identify the population that can benefit from Day Reporting, an assessment of how many people fall into that definition and if there is a private sector operation that will provide for these people. He went on to say that this population would most likely be unable to self-fund the program. He characterized the question as whether or not a private contractor could operate the system in a way that a judge would trust. He leans toward a public system that works closely with the courts. Officer Villalovos mentioned that the Wichita Intervention program has been in existence for over two decades and is self-funded. It is in lieu of 48 hours in jail for a first-time DUI offense and the program has had a positive impact on the community. She suggested that maybe the program could be expanded beyond DUIs. Manager Scholes articulated the challenge of ensuring that judges do not go over program capacity because when exceeded, a vendor may impose a penalty. Judge Fleetwood mentioned the idea that instead of ordering someone into a program, that they instead order them to apply for the program. This would help ensure that an individual meets the requirements and that space is available for them before they are accepted.

3. Old Business

- a. None

4. Other Business

- a. 2016 CIT Summit

- i. Jason Scheck informed the Council that the 2016 Crisis Intervention Team (CIT) Summit is in Wichita next Friday, Sept. 30th. It is a training opportunity for law enforcement across the state and will include a tour of the Community Crisis Center and Detention facility.
- ii. The next meeting will be Oct. 27th, 2016, from 10:00-11:00 in the Sheriff's Training Room.

5. Public Comment



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- a. Janice Bradley, of JENI, said that on Oct. 13th, the ACLU is holding a candidate forum on criminal justice issues at St. Mark Church.
- b. Djuan Wash, of Kansas Appleseed Center for Law and Justice, has been working with Walt Chappell and the Racial Profiling Board. This past weekend, several hundred people went to the Atwater Resource Center to address the issue of gaining restricted driver's licenses. The lack of a driver's license poses a barrier to employment and perpetuates a cycle of poverty and debt. They are looking into options for the community to tackle this challenge at the local, county and state level. Judge Fleetwood and Mr. Wash discussed tickets given at the city and county level and the fact that driver's licenses are a legislative issue.
- c. Citizen Walt Chappell spoke to his concern that the Council is only discussing people in jail and not about the causes that bring one there. He discussed statistics that indicate a higher likelihood to be pulled over or arrested if a person is African American. He went on to discuss lack of access to medical needs while in custody. He also asserted that the cost per minute for phone access in the detention facility is exorbitant. Judge Fleetwood noted that the meeting had gone past its allotted time and that the issues Mr. Chappell was discussing fall outside of the scope and authority of CJCC.

Adjournment