

Criminal Justice Coordinating Council

NOTES		DATE 1/22/15
ATTENDEES	<p><u>Voting Members</u></p> <p> <input checked="" type="checkbox"/> Judge James Fleetwood <input checked="" type="checkbox"/> Judge Jennifer Jones <input checked="" type="checkbox"/> Judge John Kisner <input checked="" type="checkbox"/> Sheriff Jeff Easter <input type="checkbox"/> Chief Norman Williams <input checked="" type="checkbox"/> District Attorney Marc Bennett <input checked="" type="checkbox"/> Commissioner Tim Norton <input checked="" type="checkbox"/> Commissioner Dave Unruh <input checked="" type="checkbox"/> Marilyn Cook <input checked="" type="checkbox"/> City Council Member Lavonta Williams <input type="checkbox"/> Sharon Dickgrafe <input checked="" type="checkbox"/> Bill Buchanan <input checked="" type="checkbox"/> Mark Masterson <input type="checkbox"/> Steve Osburn <input checked="" type="checkbox"/> Marv Duncan <input checked="" type="checkbox"/> Mike Alumbaugh </p> <p><u>Ex Officio Members and Others in Attendance</u></p> <p> <input type="checkbox"/> Judge Jeffery Goering* <input checked="" type="checkbox"/> Ann Swegle* <input checked="" type="checkbox"/> Tom Struble* <input checked="" type="checkbox"/> Jason Scheck* <input checked="" type="checkbox"/> Gail Villalovos* <input type="checkbox"/> Col. Richard Powell* <input type="checkbox"/> Jama Mitchell* <input type="checkbox"/> Lt. Daniel East* <input checked="" type="checkbox"/> Capt. Scott Heimerman* <input type="checkbox"/> Judge Ben Burgess <input type="checkbox"/> Karen Powell <input type="checkbox"/> Renfeng Ma <input checked="" type="checkbox"/> Jennifer Magana <input checked="" type="checkbox"/> Capt. Jared Schechter <input type="checkbox"/> Timothy Rohrig <input checked="" type="checkbox"/> Carli Sanchez <input checked="" type="checkbox"/> David Miller <input checked="" type="checkbox"/> Roger Taylor <input checked="" type="checkbox"/> Melinda Wilson <input checked="" type="checkbox"/> Sandra Flanders <input checked="" type="checkbox"/> Mike Crow <input checked="" type="checkbox"/> Janice Bradley <input checked="" type="checkbox"/> Bill Anderson <input checked="" type="checkbox"/> Walt Chappell </p> <p>* Voting designee</p>	
LOCATION	Detention Facility, 2nd Floor Training Room	
ACTION ITEMS	PERSON RESPONSIBLE	COMPLETION DATE

Discussion

Marv Duncan called the meeting to order. A quorum was present.

1. Approval of Minutes
 - a. The minutes from December 18, 2014 were approved with the following change to 2.a.iii.1.: Tom Struble stated there has not been a lack of referrals to drug court, but there has been a decline in suitable clients for the program.
2. New Business
 - a. Criminal Justice System Population Discussion
 - i. It was pointed out that the anomaly on slide 3: Average Length of Stay in Booking has been replaced with an asterisk.
 - ii. Regarding slide 4: Average Length of Stay: Housing & Combined, it was reported that this has been partially affected by the work on the master control booth, which has been completed, as well as the seriousness of the crimes individuals are being booked on. The seriousness of the crime can result in a higher bond.
 - iii. Regarding slide 14: Drug Court – Sedgwick County, it was reported that low numbers are due to the suitability of clients for the program. It was explained that eligibility for the program is the first criteria, but there are issues with suitability, such as mental health issues and violence. Additionally, it was reported that individuals are being arrested on warrants much faster than in the past and this leads to individuals either being placed back in the program or removed from the program at a quicker pace.



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- iv. When asked about the increase in Adult Intensive Supervision Probation numbers, slide 7, it was reported that there has been a change in what is being counted. Additionally, when asked about Adult Residential, slide 7, it was reported that there is not a shortage of demand, just a shortage of beds/space for clients in the program.
 - v. Regarding slide 25: BICE Holds, it was asked if the large spike in May 2014 was due to a bust. Sheriff Easter said there has been a change in law thus making most BICE holds illegal, and this has resulted in a large drop in numbers.
3. Old Business
- a. None.
4. Other Business
- a. Funding for Public Defender vs. District Attorney's Office
 - i. Mr. Duncan reported that it is difficult to make a comparison between funding for the Public Defender vs. the District Attorney's Office. He explained that there are different funding streams for each office, and the District Attorney's Office has several other programs within the office. Mr. Duncan reported that the trial attorneys within the District Attorney's Office also have other functions aside from trials. Marc Bennett explained that the District Attorney has work on the front end such as proving the case beyond a reasonable doubt, investigation, and dealing with victims whereas public defenders have actual clients.
 - ii. Mr. Duncan said he spoke to staff in Topeka at the Kansas State Board of Indigents' Defense Services to obtain specific information regarding public defender salaries. He was told the information can be obtained through a KORA (Kansas Open Records Act) request. Mr. Duncan provided the contact information for the KORA request and stated the requests should be as specific as possible.
 - iii. When asked, Mr. Bennett guessed that public defender salaries are lower than trial attorneys in the District Attorney's Office. He said some public defenders might be less experienced whereas attorneys with less experience in the District Attorney's Office start in the traffic division.
 - iv. Marc Bennett said capital cases are often sent to Wichita, which can affect funding for the public defender's office. He reported that private firms also help with public defender cases, and when including all attorneys doing public defender work it probably outnumbers trial attorneys in the District Attorney's Office.
 - b. Work Release
 - i. Judge Fleetwood said he has encouraged broader use of the work release program. It was clarified that the program will take individuals who are seeking employment, not just individuals who are employed. It was reported the program will help with job seeking/placement.
 - ii. A request was made to start getting weekly reports regarding bed space at work release again. The information will also be given to judges.
 - c. New Council Member
 - i. Commissioner Tim Norton was introduced and welcomed as a new member of the Criminal Justice Coordinating Council. He is replacing Commissioner Karl Peterjohn.
 - d. Data Regarding the Category of Crimes/Arrests
 - i. Mike Alumbaugh requested that the outcome of this request be explained to the group (he was informed of the outcome before the meeting started): Carli Sanchez was informed that the jail does not track arresting crimes when



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individuals are booked into jail so it would require considerable effort and cooperation from various law enforcement agencies to compile a one-time report with this data. (Mr. Alumbaugh has withdrawn this request.)

5. Public Comment

- a. Walt Chappell asked about how individuals get to jail, specifically looking at violent vs. non-violent crimes and how individuals got to jail. He also asked how many times a case was continued because there was no public defender to work the case and how often cases are pled out vs. evidence being presented to the judge. Mr. Chappell also expressed concern with felons finding employment.
 - i. Sheriff Easter reported that clients in work release are required to obtain employment to stay in the program. It was also reported that drug court clients with felonies have found employment. Effort is being made to help individuals get jobs, and successful clients with felons can help to change business perceptions about hiring other felons.
 - ii. Mr. Bennett said there is no correlation between cases being pled and whether or not the individual was in jail. He said 80% of people take the plea offer and have never been in jail. Mr. Bennett explained that they have an attorney walk them through the process and the client just wants to be done with the case.
 - iii. Mark Masterson said felons and employment rates are tracked, and employment numbers have been consistent with the state of the economy. He reported that clients on Adult Intensive Supervision Probation have access to and assistance with job searching.
 - iv. Marilyn Cook reported that evidenced based practices to help mental health clients with co-occurring disorders show a need for rapid assessment and individualized employment assistance.
- b. A suggestion was made to read the book *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* by Michelle Alexander.
- c. Commissioner Norton reported that the jail population is a testament to the work of the Criminal Justice Coordinating Council. He reported that additional programs and services have worked but acknowledge that this is a continuous work in progress. Commissioner Norton said there was a trajectory to build a new jail due to population numbers, but that has not had to happen yet, which is a savings to taxpayers.
 - i. It was also pointed out that in July 2012 there were 1250 cases on the jury trial docket and now there are around 700 cases. There are efficiencies built in the help the process, and now the Initial Appearance Docket needs to be addressed.

Adjournment