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<b>Sedgwick County Criminal Justice Coordinating Council (CJCC)</b>		
Meeting Minutes: July 26, 2018	Location: Sedgwick County Detention Facility, 2 <sup>nd</sup> Floor Training Room	Haither Zaragoza Management Intern Sedgwick County
<b>Attendance</b>		
<b>Voting Members (nine is a quorum)</b>	<b>Voting Designees</b>	
<input type="checkbox"/> Chief Judge James Fleetwood, 18 <sup>th</sup> Judicial District (Chair)	<input type="checkbox"/> Judge Warren Wilbert	
<input type="checkbox"/> Municipal Court Chief Judge Jennifer Jones, 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 checked="" type="checkbox"/> Deputy Chief Jose Salcido <input checked="" type="checkbox"/> Captain Chester Pinkston	
<input checked="" type="checkbox"/> District Attorney Marc Bennett, 18 <sup>th</sup> Judicial District	<input type="checkbox"/> Deputy District Attorney Ann Swegle	
<input type="checkbox"/> Chief Public Defender Mark Orr, 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. Div. of Corrections	<input type="checkbox"/> Corrections Administrator Jay Holmes	
<input type="checkbox"/> County Manager Mike Scholes	<input type="checkbox"/> Deputy County Manager Tom Stolz	
<input checked="" type="checkbox"/> Commissioner Richard Ranzau, Sedgwick County	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Commissioner Jim Howell, Sedgwick County	<input type="checkbox"/>	
<input type="checkbox"/> Council Member Brandon Johnson, City of Wichita	<input type="checkbox"/>	
<input type="checkbox"/> Executive Director Joan Tammany, COMCARE	<input checked="" type="checkbox"/> Director Tisha Darland, Crisis & Access Services COMCARE	
<input checked="" type="checkbox"/> Assistant County Manager, Russell Leeds	<input type="checkbox"/>	
<input type="checkbox"/> Criminal Presiding Judge Jeffery Goering, 18 <sup>th</sup> Judicial District	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Sedgwick County Association of Cities, Tom Jones	<input type="checkbox"/>	
<input type="checkbox"/> President of Sedg. Co. Chief's Association, Ken Winter	<input type="checkbox"/> Vice President, Mark Hinkle	
<b>Other attendees:</b>	Amy Leiker (Wichita Eagle), Dr. Rohrig (RFSC), Elizabeth Biles (Finance), Greg Gann (ITSS), Haither Zaragoza (Manager's Office), Jared Schecter (SCSO), Karen Powell (Counselor), Lori Gibbs (DOC), Nathan Emmorey (Municipal Court), Sandra Flanders (Court Services), Steven Owens (KBAA), Tom Struble	



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**Marc Bennett** called the meeting to order at 10:02 am. A quorum was present.

1. Approval of Minutes

A. April 26, 2018

**Sheriff Easter** made a motion to approve the April 26, 2018 meeting minutes as presented. **Tom Jones** seconded the motion. The motion passed unanimously.

2. Committee Reports

A. Substance Abuse Report

**Sheriff Easter** gave an update on the Substance Abuse Committee. The Committee has been meeting with the Crime Commission and a second meeting with other stakeholders to form two groups one to collect data and one to analyze the data to get a baseline of where we are at now and what we will be able to do in the private and public sector to start affecting the opioid and methamphetamines. To be clear it is methamphetamines that are the problem affecting the Wichita and Sedgwick County area. Captain Dan East put together some information together for different Wichita Police Department (WPD) cases.

Three categories were created “Methamphetamines”, “Narcotics” which includes Opioids and Cocaine, and “Other” which is all other drugs including Marijuana (THC). The “other” category is not being looked at. Methamphetamines cases in 2017 for WPD there were 803 cases. As of April 2018, there were 256 cases. Between 2016 and 2017, there was an increase of 200 cases. In 2017, WPD had 1,658 cases involving narcotics. As of April 2018, there were 494 cases. Between 2016 and 2017, there was a 200 case increase for narcotics.

Sheriff Easter is trying to find out the best way to get data. Hospitals could possibly give data on overdoses, EMS could give the same data, and Dr. Rohrig could also give data. Sheriff Easter is also hoping that by both WDP and SCSO getting new Records Management Systems, it will be easier to obtain data.

By using zip codes as a breakdown it would not violate HIPAA. The two highest zip codes for methamphetamine violations are 67202 and 67211. In 2015, 2016, and 2017 for zip code 67202 there were 1,800 violations involving methamphetamines. In 2017, there were a little over 1,600 violations. The top zip codes for narcotic violations were 67202, 67211, and 67214.



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WPD is experiencing cases involving narcotics and methamphetamines are spiking during different times of the month as well as different times of the year.

Sheriff cases have been fluctuating. The year with the highest number of methamphetamine cases was 2015. Methamphetamine cases dropped in 2016, went up in 2017, and is currently on the level to continue to decline for 2018. Opioids are a different story for the SCSO. Opioid cases in 2015 were the lowest, 2016 was higher, 2017 there was a slight drop in cases, but for 2018 cases will surpass the number of cases in 2017.

Cases are being made; the numbers are supporting that. There needs to be more information. Sheriff Easter wants to get the overdose numbers from the hospitals as well as information from Dr. Rohrig. Dr. Rohrig reported seeing opioid deaths on the rise. The deaths do not appear to be as bad as other locations, but they are on the rise. Sheriff Easter is working with Robin Chadwick at Via Christi is discussing the data issue with hospital attorneys. The Sheriff is meeting with Wesley administration to seek a cooperative data solution.

Sheriff Easter stated how prevention is hard to measure. That is why it is important to get the base numbers. If there is a decrease in hospital admits for overdoses, if EMS is going out on fewer overdoses, police are getting fewer calls, or fewer cases are being made, that is the only way to measure prevention.

The Crime Commission is putting together a Drug Summit on October 25, 2018, from 8-12:30 pm at the Hughes Metro Complex at 5015 E. 29<sup>th</sup> St. North. There will be guest speakers and videos. The Crime Commission is trying to impress on the City/County Elected and appropriate staff, School Boards, and Law Enforcement. They also want to make sure the Chamber is there because all issues affect everyone that employees someone. They all have somebody hooked on something. After the summit, there will be more looking into what can be brought to the Wichita/Sedgwick County area that can start to effectively address the problem.

If you look at the crimes committed in Sedgwick County, three out of the last four homicides in the County are because someone is addicted to dope, trying to get dope, or was in the process of selling it. Seventy-two percent (72%) of the population within Sedgwick County is addicted to alcohol or has a substance abuse problem. This explains why the crime rate is jumping. In the 90's when crack cocaine was introduced to the area, crime rates went out of control. This is why there is an increase in crime rates in the County.

There is an issue. Law enforcement knows there is an issue. Now, something has to be done to address the issue. Prevention needs to start young. The DARE program is not geared towards that. There has to be another program that can be brought in.

**Deputy Chief Jose Salcido** said WPD is seeing an increase in heroin seizures. WPD is also seeing designer drugs and a combination of drugs to the point that in the past the



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officers used to field test for methamphetamines, crack, cocaine, but now must be more careful not to expose Officers to the mixtures which are creating a challenging problem.

**Sheriff Easter** agreed. It is creating a huge challenge. SCSO will not test a powdery substance in the field. It goes to the Regional Forensic Science Center (RFSC) it is marked to allow the staff to know the substance is unknown. Two years ago, a Narcotics Detective opened a bag of what was believed to be methamphetamines. When he opened the bag, he was overcome by the fumes, passed out, and was transported to the hospital. Since that incident, there is no longer field testing on powdery substances. It is also a problem because when the substance was tested in the field, the Deputy knew what the person was going to be booked on and the case could be presented to the District Attorney's Office quickly. Now there is a delay waiting for the process to be completed at the RFSC to know what the substance is to even know what the charge will be.

The SCSO is also seeing cases of Fentanyl, which is a man-made drug. There has even been a case of Carfentanil. Another new substance is called "Gray." Gray is worse than Fentanyl. SCSO though they had a case of Gray, it turned out to be the heroin that had something in it that turned it gray. All the brand new drugs are coming up, and law enforcement must educate themselves. Sheriff Easter hopes to have a Response Plan starting after the Drug Summit by the Crime Commission.

**Marc Bennett** asked Dr. Rohrig if he had anything to add. **Dr. Rohrig** followed up on designer drugs. Most of the newer drugs are being picked up in the drunken driving cases. In these cases, there is a number of "off the wall" valium like drugs in the DUI stops. There is an increased submission of heroin into the RFSC as well as there is an increase in heroin overdose deaths. There is occasionally Fentanyl case, but mostly it is still heroin, methamphetamines, or a combination of multiple drugs.

**Deputy Chief Salcido** said WPD undercover officers had arrested a couple of dealers catering specifically to the homeless population and at the first of the month when the homeless population gets their checks. A dealer was arrested in the area of 2<sup>nd</sup> and Topeka that had cocaine, crack, K2, and methamphetamines.

**Sheriff Easter** asked Dr. Rohrig to talk about Kratom. **Dr. Rohrig** stated Kratom is Mitragynine. It is a plant-based material that interacts with the opioid receptors, so it gives the same effect as an opioid, but chemically it is not. Some states in the United States, as well as several countries, have this drug listed as a controlled substance. It is available. In one of the "Gray" deaths the SCSO had, there was Mitragynine present. We will see more of it. A couple of death cases we found it, but the death was not associated with an overdose of Mitragynine but in combination with several other narcotics.

**Mark Bennett** added the DA's office did a spot check in May. Then on that day, they went back to the same day for the previous three years. Eleven percent (11%) of the cases filed that day had at least one count of methamphetamine as a charged count. It may not have been the lead charge, but the second or third count following a forgery, burglary, or



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murder, etc. It told the DA's Office if 11% of people getting charged with a felony at the County level still had methamphetamines in their pocket when they got caught. You would easily double that number and know there are many more crimes are being driven by methamphetamines.

**Commissioner Howell** asked for verification on the percentage. **Marc Bennett** confirmed it was 11% of people being charged with a felony had methamphetamines charges against them as well. The DA's Office charges about 3,500 cases yearly. So for that exact date over a period of time and was consistently 11% of some count involving methamphetamines possession, distribution, etc. The methamphetamines had to be on their person or in their possession.

**Commissioner Howell** asked if the drugs were being trafficked in or produced here. **Marc Bennett** stated the drugs used to be produced here, but after Sudafed went behind the counter, the drugs were now coming from other locations including Mexico. Marc then deferred to Dr. Rohrig, Sheriff Easter, and Deputy Chief Salcido for more information. **Deputy Chief Salcido** stated that when the drugs were being produced here, the cook was about an ounce. Now, one cook in Mexico is cooked by the hundreds of pounds. **Sheriff Easter** added he had read a DEA report stating that in Mexico they figured out how to grow the poppies. Poppies are the derivative of opioids. Most if the time trafficked opioids came in from Afghanistan and South East Asia. There could be a huge influx of heroin in the future. **Deputy Chief Salcido** added that because of the current marijuana laws in the United States, like California, the cartels are no longer planting marijuana down south. The marijuana has been replaced with poppy.

**Commissioner Howell** asked about Kratom. **Sheriff Easter** verified Kratom. There have been three cases within Sedgwick County. They cannot be arrested for it because it is not a controlled substance.

**Trisha Darland** asked about issues with the use of CBD oils because parents are prescribing it to their children for various reasons. **Marc Bennett** stated he had not heard anything because in Legislative Session it was decided to allow selling of CBD oil. **Dr. Rohrig** added there had been a couple of CBD oil cases coming in. GW Pharmaceuticals out of the UK filed with the FDA for approval of the use of CBD oil for two seizure disorders. The FDA approved the request. It is currently with the DEA for re-scheduling. The DEA has 90 days to make a re-scheduling decision. What it means to re-schedule is to the schedule of drugs on the Controlled Substance List. Currently, CBD is a Scheduled 1 substance. It will probably be like Marinol, synthetic THC that is used for certain cancer treatments, adjacent with certain cancer treatments, and HIV issues. Marinol is available in Europe and other countries. Canada currently has a mixture of THC and CBD available. Another related item is the passing of the industrial hemp law in Kansas which makes the CBD oil have less than 0.3% THC. The Department of Agriculture will be making new rules for CBD.

### 3. Old Business





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**Commissioner Howell** asked for an update on the Drug Collection Boxes. He heard there might be a possibility of having them at law enforcement stations. **Sheriff Easter** said there was not an update. Blue Cross and Blue Shield partnered with Walgreen and put out collection boxes in various locations around the City of Wichita. There has not been a discussion about putting the Drug Collection Boxes at police substations. The problem with using substations is WPD has their secured after 5 pm. The SCSO does not have access through the gate after 5 pm either, and the Squad room is always secure. The boxes have to be in a secured location otherwise someone can just take it. **Rusty Leeds** added that someone from the County is working on a project to get distribution places for the drug boxes.

**Commissioner Howell** asked why a mailbox bolted to concrete and once the door is open you will never see it again, was not an acceptable solution. **Sheriff Easter** said a chain could be tied around it and could yank the mailbox off. It is problematic to have the boxes at the police stations because they all close at 5 pm.

**Commissioner Howell** said the sites should be somewhere public and that can be accessed at all times, including strange hours. **Sheriff Easter** said if the items could be collected every morning, it may not be an issue. Nothing can be implemented until a broader discussion with the stakeholders on how to roll out the plan all at once takes place.

**Commissioner Howell** stated he feels the events are successful. Without them, people don't know what to do with them. They flush them, put them in the trash, re-use them, re-sell them, or the kids find them. It is an unnecessary thing to have in the community. There has to be a place where they can get rid of it without getting into trouble and getting it out of their home. It doesn't feel like there is an on-going continuous solution and something needs to be done. **Sheriff Easter** stated he feels the easiest thing to do would be to make them hazardous material since we already have that facility, however since they are narcotics they cannot touch them. The DEA has the amount of how much it costs to dispose of those narcotics. However, it costs a lot of money which is why the collection is only done twice a year. The DEA controls how they are disposed of.

**Commissioner Howell** wants to explore what are the barriers to making the collection sites happen? Where is the opposition? What is the cost? Why isn't the county doing this? He wants the data in front of him. **Sheriff Easter** believes the two barriers are cost and disposal. There is no known opposition, but the when and how needs to be figured out.

**Commissioner Howell** added managing a single location would not be as hard. We could partner with a private sector business or a law enforcement station. The cost would probably pay for itself by getting the drugs off the street. Whatever the cost is for disposal would probably save cost avoidance by leaving it out there.



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#### 4. New Business

##### A. Population Report

**Sheriff Easter** discussed a few items in the SCSO slides. First, the average ADP is down, and the out of county (OOC) is up. This is because of the transition of Work Release to Community Corrections. The Annex is still in the process of better prepared to run like a jail. All of the people that were usually over to Work Release are either in the jail or OOC.

Next, on page 5, slide #9 titled "Recidivism" it now includes the SCORE program. All re-arrests for 2017, at 90 days 27% were re-arrested, 180-days 41.92% were re-arrested, 1 year 54.94% were re-arrested, and 2 years 46% re-arrested. With the SCORE program at the 90-day mark, the re-arrest was down from 27% to 20% and 180-day mark the re-arrest was down from 41.92% to 31%. Trying to determine if the SCORE program is the cause of the drop. Will this affect the criminal element and those career criminals who prey on victims?

**Marc Bennett** asked how many people were in the SCORE program. **Undersheriff Brenda Dietzman** stated 197 people. She stated that at the 180-day mark, 22 people did not come back to the jail that they would have predicted would have been re-arrested at that point.

#### 5. Other Business

- A. **Chief Probation Officer Gail Villalovos** introduced the new Court Administrator for the City of Wichita, Nathan Emmorey to the group who replaced Donte Martins. Nathan is an attorney and was Court Administrator in Mobile, Alabama.

#### 6. Public Comment

- A. Haither Zaragoza provided information from the Crime Commission: Wichita Crime Commission, Inc.

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- B. Next Meeting: It is supposed to be October 25, 2018, but due to the Drug Summit, that meeting has been canceled. A special meeting will take place on November 1, 2018, instead.



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Meeting adjourned by **Marc Bennett** at 11:37am.