

**Jefferson County  
Criminal Justice Strategic Planning Committee (CJSPC) Meeting**

January 20, 2010  
5:00 pm to 7:15 pm  
Administration and Courts Building  
Lookout Mountain Room

**5:00 p.m. – 5:15 p.m.**  
**5:15 p.m. – 7:15 p.m.**

**Dinner and Socializing  
Business**

**AGENDA**

1<sup>st</sup> Judicial District Court  
Jefferson County Court  
1<sup>st</sup> Judicial District Administration  
Jefferson County Board of County Commissioners  
Jefferson County Administration  
1<sup>st</sup> Judicial District Attorney's Office  
Colorado State Public Defender's Office  
1<sup>st</sup> Judicial Bar Association  
Jefferson County Sheriff's Office  
Lakewood Municipal Court  
1<sup>st</sup> Judicial District Probation  
Lakewood Police Department  
Arvada Police Department  
Golden Police Department  
Wheat Ridge Police Department  
Rocky Mountain Offender Management Systems  
Intervention, Inc  
Jefferson Center for Mental Health  
Jefferson County Human Services Department  
Jefferson County Justice Services Division  
Lakewood City Council  
Jefferson County School District  
State of Colorado Parole & Community Corrections

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|---|---------------------|
| 1. Approve the minutes of the November 18, 2009 CJSPC meeting   | Russell             |
| 2. Receive a list of CJSPC accomplishments  | Schnacke            |
| 3. Comment on events affecting the local justice system   | Schnacke            |
| 4. Obtain information on the Prevention Subcommittee's work to expand evidence-based substance-abuse prevention programs  | Kilpatrick/Thompson |
| 5. Receive an update on the progress of the System Performance Subcommittee's Jefferson County Bail Impact Study          | Lammers/Mundell     |
| 6. Learn about the Mental Health & Substance Abuse Subcommittee's findings and future direction                           | Hall                |
| 7. Inform each other about changes in our own agency that may affect the workload of other agencies in the justice system | All Members         |
| 8. Prepare for and schedule the next CJSPC meeting on Wednesday, March 17, 2010, 5:00 p.m. to 7:15 p.m.                   | Russell             |

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**The next regularly scheduled CJSPC meeting is: Wednesday, March 17, 2010,  
Lookout Mountain Room, Jefferson County Administration and Courts Building**

**Members Present:** George Boyle, Jack DeVita, Tom Giacinti, Faye Griffin, Lynn Johnson, Bill Kilpatrick, Bridget Klauber, Cheryl Lammers, Gail Meinster, Kevin Paletta, Ralph Schell, Jackie Senese, Kelly Sengenberger, Don Wick

**Members Absent:** Dan Beeck, Dan Brennan, Harriet Hall, R. Brooke Jackson, Jeaneene Miller, Ted Mink, Maureen O'Brien, Vicki Stack, Cindy Stevenson, Scott Storey

**Guests Present:** Matt Van Auken, Jefferson County Human Services; Brenidy Rice, Jefferson County Recovery Court; Jeff McDonald, JAC/SB 94, Joe Harrison, CJP Intern

**Alternates Present:** Tom Bay, Leslie Holmes, Jason Lucero, Patsy Mundell, Dave Pickett (Wheat Ridge PD), Tammy Russell (vice chair), Betsy Thompson, Eva Wilson

**Staff Present:** Lynne Nieman, Tim Schnacke, Dorian Wilson, Sue Ferrere, Claire Brooker

### Agenda Item

#### **Approve CJSPC meeting minutes.**

- The Minutes from the November 18, 2009 meeting were approved as submitted.

#### **Receive a list of CJSPC accomplishments. (handout)**

- Tim Schnacke reminded everyone that we do this each year as a way to track what the CJSPC and its subcommittees are accomplishing.

#### **Comment on events affecting the local justice system. (handout)**

- This list chronicles the last year, citing events, legislation, position changes, etc., that may affect the Jefferson County justice system.
- There were some additions mentioned that the CJP staff will include in the document. Please email Tim Schnacke or Mike Jones with any further additions as you think of them.

#### **Obtain information on the Prevention Subcommittee's work to expand evidence-based substance abuse prevention programs.**

- The subcommittee is continuing its work to expand both the Nurse Family Partnership and LifeSkills Training programs.
- The group, along with the assistance from the CJP staff, will identify the schools that are currently teaching LST, and to what extent and how they are teaching it. The group will proceed from there.
- There was discussion at both the subcommittee meeting in January and this meeting regarding whether the Prevention Subcommittee should remain under the direction of the CJSPC or if it would be better guided under the new Child and Youth Leadership Commission (CYLC). Many of the subcommittee members expressed that it could be a better fit to be under CYLC. CJSPC will revisit this issue in March to determine what is best for everyone.
- Bill Kilpatrick recognized Lynn Johnson for her assistance in funding LST.

#### **Receive and update on the progress of the System Performance Subcommittee's Jefferson County Bail Impact Study.**

- The Bail Impact Study began Monday, January 4.
- The participants agree that it is moving along well, although there have been a few glitches, but these have been fixed fairly easily.
- The communication is good.
- There are a lot of agencies around the state and even the country waiting to learn about the outcomes of this

- project.
- It is still too soon to say what will happen after the 14 weeks. The data are being collected and when the 14 weeks are over, the CJP staff will analyze everything and present a report to CJSPC.
- Judge Tammy Russell recognized the hard work of Leslie Holmes in Pretrial Services.

**Learn about the Mental Health and Substance Abuse Subcommittee's findings and future direction.  
(slide show handout)**

- Sue Ferrere presented the 5 intercepts of the Intercept Model and discussed the strengths and the weaknesses/gaps for each intercept.
- Most of the weaknesses discovered in this process are holes and are not systematic issues.
- There is no true diversion for mentally ill or substance abusing defendants or offenders.
- Screening/assessment for substance abusing defendants/offenders is non-existent in the early intercepts and only comes into play at Intercept 3. On the other hand, screening/assessment is available to mentally ill offenders in Intercept 2, but it is often only used for containment and classifications purposes. The information does not often reach the courts.
- The group will be looking to prioritize the weaknesses/gaps in the next month or two and determine its direction.
- Bill Kilpatrick discussed the history and current status of the Metro-area triage centers, which have basically hit a wall due to lack of funding. In his opinion, if these could get up and running, it would greatly help the system.

**Inform each other about changes in our own agency that may affect the workload of other agencies in the justice system**

- Lynn Johnson said that the Human Services Department is creating a long-term strategic plan and she will be looking to get community input.
- Tom Giacinti told the group that Pretrial Services is looking at ways to supervise sex offenders who are charged with internet luring and monitoring their usage of the internet.
- Tom also informed the members that the Justice Services Work Crews are going to accept clients in the Recovery Court. These folks will assist in creating vegetable gardens, and will not only help in this endeavor, but will also learn some gardening skills.
- Kevin Paletta updated the committee on Lakewood's initiative to transfer to electronic ticketing. They have chosen a vendor and hope to begin in July.
- Kelly Sengenberger told the members that Intervention now has the private probation contract for the 12<sup>th</sup> Judicial District (Alamosa).

**The next CJSPC meeting is Wednesday, March 17, 2010 from 5pm to 7:15pm in the Lookout Mountain Room. Dinner will be served.**

**The meeting was adjourned.**

Submitted by:

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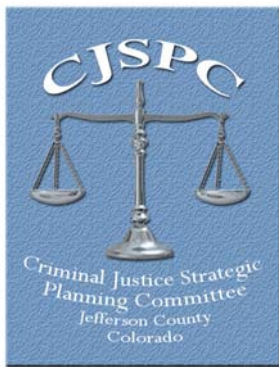
Lynne P. Nieman, Criminal Justice Planning Unit

Reviewed by:

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Claire Brooker, Criminal Justice Planning Unit

Date: \_\_\_\_\_



## **Accomplishments and Initiatives of the Jefferson County Criminal Justice Strategic Planning Committee and the Criminal Justice Planning Unit**

Last updated: January 19, 2010

### **2009**

**The Jefferson County Detention Facility Use Plan continues successfully for a second year.** The Jefferson County Sheriff and the First Judicial District Chief Judge, with assistance from the Criminal Justice Planning staff, renewed the 2009 Jefferson County Detention Facility Use Plan for 2010. During 2009, the jail population level was maintained within the targeted number. The Facility was not crowded during the year, and it met the needs of local justice system agencies. In addition, the Plan enabled the Sheriff's Office to continue to increase its revenue through its contract with the U.S. Marshals Service. Criminal Justice Planning staff also assisted the Sheriff's Office in maintaining an updated email list of all judges within Jefferson County so that they could receive monthly their jail bed use reports.

### **Criminal Justice Planning staff facilitates a presentation on DUI/DWAI sentencing options to the District Attorney's Office.**

Jefferson County Criminal Justice Planning staff, with staff from the First Judicial District's Probation Department, the Sheriff's Office, and the local Inmate/Outmate Program, presented information on the results of a quasi-experimental outcome evaluation of the sentencing options for repeat DUI offenders, as well as the resulting "First Judicial District of Colorado's Desk Reference for Matching DUI/DWAI Offenders to Sentencing Options" and other informational materials. The presentation enabled new deputy district attorneys who staff the county court divisions to learn about the sentencing options available to first-time and multiple DUI/DWAI offenders.

### **The Jefferson County Recovery Court is implemented.**

Based on the work of the Drug Court Task Force, with the assistance of the Jefferson County Criminal Justice Planning staff, the Jefferson County Recovery Court served its first client. By year's end, the Court was serving approximately 20 clients who have substance abuse problems and are near failure with the terms and conditions of their sentence to probation or diversion. In addition, a Recovery Court Coordinator was hired by the County's Justice Services Division to staff the Court. In January 2010, the Coordinator will become a State Judicial Department employee and continue to staff the Court.

**Criminal Justice Planning staff creates case management database for the newly operational Recovery Court.**

Jefferson County Criminal Justice Planning staff designed and created a Microsoft Access database for use by the Recovery Court Coordinator to track case information on all recovery Court clients. The database was constructed to facilitate subsequent process and outcome evaluation of the Recovery Court.

**Criminal Justice Planning staff writes a grant application for the newly formed Jefferson County Recovery Court.**

Jefferson County Criminal Justice Planning staff wrote a federal grant application to help fund the operations of the newly created Jefferson County Recovery (Drug) Court.

**The First Judicial District Criminal Case ADR/Mediation Project is terminated.**

The First Judicial District Chief Judge terminated this project because of a lack of referrals. The State's Office of Dispute Resolution collected information from this project to inform future efforts to increase the mediation/alternate dispute resolution of criminal cases in Colorado.

**The Colorado Improving Supervised Pretrial Release (CISPR) project progresses.**

Jefferson County Criminal Justice Planning staff continues to lead the 10-county initiative to develop evidence-based policies and practices for pretrial service programs in Colorado. There are two main components to this project: (1) the development of a validated pretrial risk assessment instrument, to be called the Colorado Bond Conditions Assessment (COBCA), to replace the various, more subjectively derived risk assessment instruments currently used in each county; and (2) evidence-based supervision protocols that match pretrial release supervisory techniques to each defendant's specific risk profile to lessen that risk. Upon completion of this project, pretrial service programs will be able to make research-based recommendations about conditions of bond to judges and magistrates who set these conditions. This initiative has the potential to benefit all pretrial supervision programs in the state. The CISPR project was partially funded by an Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice.

**The Jefferson County Bail Project continues.**

The System Performance Subcommittee, with the assistance of Jefferson County Criminal Justice Planning staff, continued its work on the Jefferson County Bail Project. The purpose of this project is to improve the administration of bail and pretrial services in the First Judicial District. During the year, Subcommittee members, staff from relevant agencies, and planning staff planned all aspects of the Jefferson County Bail Impact Study (to begin in early 2010), which will serve as an impact study to test the effectiveness of bail administration that is more risk-based and less money-based. In September-October of 2009, the Subcommittee successfully completed a one-week pre-pilot project to prepare for the impact study.

**Criminal Justice Planning staff help redesign Pretrial Services Unit's programming.**

Jefferson County Criminal Justice Planning staff provided research for and facilitated meetings with Pretrial Services managers to redesign many programmatic and operational policies and procedures (e.g., staff workload and caseload analysis and planning, procedures for enhancing pretrial risk assessment, procedures for managing defendant's behavior and responding to

violations of bond, options for generating revenue) for the purpose of Pretrial Services' participation in the Jefferson County Bail Project and Bail Impact Study.

**Criminal Justice Planning staff holds informational and orientation sessions for agencies participating in the Jefferson County Bail Impact Study.**

Criminal Justice Planning staff presented or provided information on the upcoming (in 2010) Jefferson County Bail Impact Study to staff in the Pretrial Services Unit, Sheriff's Office, state courts' employees, private defense bar, victims' service providers, and Public Defender's Office.

**Criminal Justice Planning staff writes an American Recovery and Reinvestment Act 2009 Byrne/Justice Assistance Grant application for the Jefferson County Pretrial Pilot Project (Bail Impact Study).**

Jefferson County Criminal Justice Planning staff wrote a grant application, which was funded at \$474,000, to hire up to nine staff for one to two years in the Justice Services Division's Pretrial Services Unit. The hiring of the staff made the Jefferson County Bail Impact Study possible, at no additional cost to the county government.

**Criminal Justice Planning staff presents research on improving the administration of bail.**

Jefferson County Criminal Justice Planning staff presented findings from legal and statistical research on improving the administration of bail and the pretrial process to the Boulder County Bar Association, Criminal Law Section, and the Colorado Criminal Defense Bar, Jefferson County Chapter. Attendees received continuing legal education credit.

**Criminal Justice Planning staff notifies local policy-makers of grant opportunities.**

Jefferson County Criminal Justice Planning staff provided regular updates about available grants to local policy-makers. The list focuses primarily on grants related to crime and delinquency prevention and intervention, many of which are aligned with the initiatives of the Criminal Justice Strategic Planning Committee and its three subcommittees.

**Criminal Justice Planning staff provides State Judicial Department with information and ideas for initiating and expanding the use of electronic citations.**

Jefferson County Criminal Justice Planning staff provided information technology staff from the State Judicial Department with information necessary for initiating and expanding a procedure for implementing electronic citations for state and municipal offenses. Staff acted as liaison between State Judicial and local law enforcement to facilitate implementation of electronic citations in the First Judicial District.

**Criminal Justice Planning staff provides technical assistance on response to violations and revocation practices to the First Judicial District's Probation Department.**

Jefferson County Criminal Justice Planning staff analyzed data on all reported revocations for adults and juveniles during 2008 and provided the Chief Probation Officer and unit supervisors with detailed analyses on the effectiveness of their policies and procedures on response to violations. Supervisors used the information to design individual employee performance plans and monitor compliance with departmental policies. In addition, the analyses provided baseline and outcome data for the County's House Bill 04-1451 Interagency Oversight Group.

**Criminal Justice Planning staff hosts guests from another jurisdiction.**

Jefferson County Criminal Justice Planning staff hosted five professionals from the criminal justice coordinating committee in Coconino County, Arizona. These professionals met with their Jefferson County counterparts and planning staff to learn and share ideas about issues and initiatives of common interest.

**The Criminal Justice Planning Unit staffs the newly formed Jefferson County Child and Youth Leadership Commission.**

Several members of the Jefferson County Criminal Justice Planning Unit served as staff support to the newly formed Jefferson County Child and Youth Leadership Commission (CYLC). The CYLC has the mission to establish collaborative leadership to promote accountable, efficient, cost effective, and coordinated systems to increase the health and well-being of children, youth, and families in Jefferson and Gilpin Counties.

**Criminal Justice Planning staff helps Wheat Ridge Police Department evaluate one of its youth programs.**

Jefferson County Criminal Justice Planning staff assisted Wheat Ridge Police Department with an evaluation of its Peer Counselor Crisis Intervention Program. Staff helped the Department with data collection, analysis, and interpretation.

**A Criminal Justice Planning staff member serves as a consultant to other jurisdictions through the National Institute of Corrections.**

The technical expertise of staff and the national reputation of the Criminal Justice Planning Unit continued to grow as a staff member is employed as a part-time technical resource provider who assists policy-makers in other local justice systems improve their justice system coordination and planning capacity and efforts. In addition, staff continues to respond to inquiries from other jurisdictions nationwide about methods for improving their justice system policy planning and staff support.

**A Criminal Justice Planning staff member assists the Pretrial justice institute with data collection.**

Jefferson County Criminal Justice Planning staff helped coordinate the collection of jail and pretrial services data from four Colorado counties for the Pretrial Justice Institute's upcoming publication.

**Criminal Justice Planning Staff assists the University of Colorado at Denver's School of Public Affairs by sponsoring a student-intern.**

At the request of a faculty member of the University of Colorado at Denver, Criminal Justice Planning staff sponsored a student-intern who worked on and completed her criminal justice master's degree capstone project through the CJP Unit.

**Criminal Justice Planning assists the University of Nebraska with failure to appear study.**

Jefferson County Criminal Justice Planning staff provided research and background material to a University of Nebraska professor and student working to improve their local jurisdiction's issues with defendants failing to appear for court.

**Criminal Justice Planning staff assists County government with planning for future justice system needs.**

Jefferson County Criminal Justice Planning staff provided the County's facilities staff with information that helped shape the County government's decision to renovate the Administration and Courts Building to accommodate the future needs of the County's justice system agencies.

**Criminal Justice Planning staff enhances referral process for criminal justice agencies to nurse home visitation programs.**

Jefferson County Criminal Justice Planning staff worked with Jefferson County Public Health and local criminal justice agencies to create and revise a referral form so that all eligible mothers in the justice system can be referred to Public Health's Nurse Family Partnership or other nurse home visitation program. Staff continues to work with Public Health to monitor and increase the number of referrals and enrollment.

**Criminal Justice Planning staff helps law enforcement agencies better track alcohol compliance checks.**

Jefferson County Criminal Justice Planning staff continues to assist local law enforcement agencies track process measures from their enforcement of vendors who sell alcohol. Staff analyzed this data, in combination with survey data from the local Youth Alcohol Intervention Program, and will present the findings and implications at a future meeting of law enforcement agencies.

**Criminal Justice Planning staff present nine-plus-year criminal justice trends report.**

Jefferson County Criminal Justice Planning staff presented multiple criminal justice indicator trends to the Criminal Justice Strategic Planning Committee at its November meeting. Most trends pertain to the years 2000 through 2008, while some trends date back to 1990.

**Criminal Justice Planning staff produce nine-year juvenile justice trends report.**

Jefferson County Criminal Justice Planning staff distributed to the Child and Youth Leadership Commission an updated Jefferson County Juvenile Justice Trends Report for the years 2000-2008. Trends for the Department of Youth Corrections are included as a new section.

**Jefferson County Criminal Justice Strategic Planning Committee meets six times.**

The Criminal Justice Strategic Planning Committee met six times during 2009. Regularly scheduled meetings were held every other month. Attendance and participation at all meetings were excellent. Many members continue to view the Committee as the most important criminal justice-related committee on which they serve. The Criminal Justice Planning Unit provided staff support (e.g., agendas, minutes, presentations, data, information, facilitation of discussions, etc...) at all meetings.

**System Performance Subcommittee meets fourteen times.**

System Performance Subcommittee members met fourteen times during 2009 to work on the Jefferson County Bail Project, which arose from the Subcommittee's addressing the policy question, "Whom should we release pretrial from the jail and why?" The Subcommittee designed the Jefferson County Bail Impact Study to begin in early 2010. Criminal Justice Planning staff

provided staff support (e.g., agendas, minutes, presentation materials, analyses, document creation, legal research, etc...) at all meetings.

**Prevention Subcommittee meets nine times.**

The Prevention Subcommittee met nine times during 2009. The Subcommittee worked to expand the number of Jefferson County citizens who participate in evidence-based crime and delinquency prevention programs, such as the Nurse-Family Partnership and Life Skills Training. Criminal Justice Planning staff provided staff support (e.g., agendas, minutes, analyses, literature reviews, presentations, etc...) at all meetings.

**Mental Health and Substance Abuse Subcommittee meets ten times.**

The Mental Health and Substance Abuse Subcommittee met ten times during 2009. The Subcommittee used the Sequential Intercept Model for Developing Criminal Justice – Mental Health Partnerships to analyze the strengths and weaknesses of the local criminal justice system’s ability to serve the needs of criminally involved persons with mental illness. Criminal Justice Planning staff provided staff support (e.g., agendas, minutes, data analyses, meeting facilitation, etc.) at all meetings.

**Jefferson County Child and Youth leadership Commission meets ten times.**

The Jefferson County Child and Youth leadership Commission met ten times during 2009. Regularly scheduled monthly meetings were held from March through December. Attendance and participation at all meetings were excellent. Commission members learned about the many services provided to youths and families, shared their ideas about the major issues facing the jurisdiction. In addition, the Commission expanded its membership and became the County’s Interagency Oversight Group pursuant to Colorado Revised Statutes, Section 24-1.9-101-104 (House Bill 04-1451).

# **Chronicle of Events That May Affect the Criminal Justice System in Jefferson County, Colorado**

**Last updated: January 19, 2010**

## **2010**

- January 4, 2010 – The Jefferson County Bail Impact Study begins. Additional Pretrial Services staff, hired in late 2009 from a American Recovery and Reinvestment Act Justice Assistance Grant, is employed to support the project.

## **2009**

- Jan 2009 – Scott Storey begins second term as District Attorney.
- Jan 2009 – Faye Griffin replaces Jim Congrove as County Commissioner.
- Jan 2009 – Judge Susan Fisch transfers from County Court Division H to Division B to replace outgoing Judge Judy Archuleta.
- Jan 2009 – Judge Tammy Greene replaces transferring Judge Susan Fisch in County Court Division H.
- Jan 2009 – Judge Brad Burback transfers from Magistrate Division V to County Court Division C to replace retiring Judge Tina Olsen.
- Jan 2009 – Judge Verna Carpenter replaces retiring Judge James Demlow in County Court Division E.
- Jan 2009 – Judge K.J. Moore transfers from Magistrate Division S to County Court Division F to replace retiring Judge Roy Olson.
- Jan 2009 – Magistrate Gail Meinster replaces transferring Magistrate K.J. Moore in Division S.
- Jan 2009 – Magistrate Judith Goeke replaces transferring Magistrate Brad Burback in Division V.
- Jan 2009 – Betsy Thompson and Dave Kollar join Chief Kilpatrick as co-chairs of the Prevention Subcommittee.
- Jan 2009 – Barack Obama replaces George W. Bush as President of the United States of America.
- Jan 2009 – Arvada Police Chief Don Wick is appointed to the Board of Directors of the Jefferson Foundation.
- January 7, 2009 – Criminal Justice Planning staff present findings and recommendations for improving the administration of bail at the joint meeting of Colorado Sheriffs and Chiefs of Police.
- January 7, 2009 – Crystal Darkness, a state-wide, road-block media campaign designed to increase awareness of methamphetamine addiction and direct people to treatment, aired on almost all Colorado television stations.
- Feb 2009 – Ralston House acquires a building and programming from the Jefferson County Children's Alliance to serve children who have been abused or have been victims of crime.
- Feb 2009 – A team of Jefferson County criminal justice professionals who represent the planned drug court attends the federally funded Drug Court Planning Initiative in Albuquerque, NM.

- February 17, 2009 – U.S. Congress and President Barack Obama passed and signed into law H.R. 1, the American Recovery and Reinvestment Act, which includes provisions intended to benefit state and local governments. Nearly \$114 million will be designated for criminal justice/law enforcement, including victim’s compensation, violence against women, and the COPS Program.
- February 20, 2009 - Criminal Justice Planning staff present findings and recommendations for improving the administration of bail at the quarterly meeting of Colorado Chief Judges. Revised bail/pretrial research and recommendations paper is distributed to interested entities.
- Mar 2009 – H.B. 09-1121 repeals and re-enacts DNA evidence preservation provisions, with changes.
- Mar 2009 – Criminal Justice Planning staff meets with new County Court Judges to present information on DUI (e.g., Inmate/Outmate) sentencing options and the Detention Facility Use Plan.
- Apr 2009 – Denver Post begins series on DUIs, focusing on increasing penalties as a solution for multiple DUI offenders. Colorado Commission on Criminal and Juvenile Justice declines to support a new felony DUI statute, and offers other solutions to the problem. Denver Post opines General Assembly to ignore Commission’s advice.
- May 2009 – S.B. 09-02 increases motor vehicle registration fee from 1 to 2 dollars to fund emergency medical services account.
- May 2009 – H.B. 09-1334 allows aggregation of multiple theft offenses.
- May 2009 – H.B. 09-1316 makes it a crime to post personal information of judge, magistrate, or prosecutor on the internet if dissemination of the information poses a threat.
- May 2009 - Tim Schnacke returns to the Criminal Justice Planning Unit after one-year as staff attorney for Colorado Court of Appeals.
- May 2009 – Brenidy Rice is hired as the Jefferson County Recovery Court Coordinator.
- May 2009 – Over the past 6 months, Jefferson County Public Schools LifeSkills Training Coordinator, Judy Hindman, recruits staff at nearly 1/3 of Jefferson County schools to be trained to deliver LifeSkills Training (LST).
- May 2009 – Jefferson County Human Services Department funds the Prevention Subcommittee’s LST initiative in Jefferson County Public Schools through July 2010, after the original funding was withdrawn by the State because of the State’s fiscal crisis.
- Jun 2009 – S.B. 09-133 increases surcharges on certain traffic violations to fund traumatic brain injury fund.
- Jun 2009 – H.B. 09-1351 increases amount of earned time for certain prison inmates.
- Jun 2009 – H.B. 09-1157 makes BZP a schedule I controlled substance.
- Jun 2009 – S.B. 09-286 directs Colorado Commission on Criminal and Juvenile Justice to study sentencing and report back by November 2009.
- Jun 2009 – H.B. 09-1094 prohibits persons under 18 from using a wireless telephone while operating vehicle, and persons 18 and older from texting while driving, with certain exceptions.
- Jun 2009 – H.B. 09-1119 establishes a rural alcohol and substance abuse prevention and treatment program to provide prevention and treatment to youth.

- June 12, 2009 – The Jefferson County Recovery Court accepts its first client. District Court Division 2 Judge MJ Menendez serves as the judicial officer through June 2009.
- Jun 2009 – S.B. 09-06 creates a county jail identification processing unit within the Department of Revenue to process ID cards for prisoners without cards in 7 counties, and outlines requirements for funding.
- Jul 2009 - Division 4 Judge Tamara Russell becomes the recovery court judge upon Judge MJ Menendez's resignation.
- Jul 2009 – H.B. 09-1120 makes it a third degree assault to cause a police officer, firefighter, or EMT to come into contact with certain body fluids or any toxic material; clarifies crime of disarming a police officer.
- Jul 2009 – H.B. 09-1036 increases certain vehicle registration fees to fund POST board.
- Jul 2009 – H.B.s 09-1132 and 09-1163 add certain communication networks to crime of certain child sex offenses; clarify certain provisions of internet sexual exploitation of child offense.
- Jul 2009 – S.B. 09-47 creates the Crime Victim's Services Advisory Board; repeals the victim's compensation and assistance coordinating committee and the victim's assistance and law enforcement advisory board.
- Aug 2009 – Judge Christie Phillips replaces Judge MJ Menendez in District Court Division 2.
- Aug 2009 – H.B. 09-1262 permits court to issue summons instead of arrest warrant, without consent of DA, for class 4, 5, and 6 felonies, unless law enforcement officer provides counter-basis.
- Aug 2009 – S.B. 09-148 clarifies rules for bicycle riders, crimes for crowding or threatening bicyclists, etc.
- H.B. 09-1234 expands authority for DOR to suspend and revoke licenses in certain instances.
- Aug 2009 – H.B. 09-1266 eliminates loss of driving privilege as penalty for certain criminal offenses.
- Aug 2009 – H.B. 09-1263 clarifies and modifies jail good time deductions, and deductions based on parole revocation hearings.
- Aug 2009 – H.B. 09-1200 requires legislative council to consider the fiscal impact of proposed legislation on counties when preparing local government impact of a fiscal note.
- Aug 2009 – H.B. 09-1021 extends to 2015 the legislative oversight committee and task force for the continuing examination of the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems, with changes.
- Aug 2009 – S.B. 09-93 beginning July 1, 2009, reduces penalty for an identity theft inchoate offense; also criminalizes possession or control of certain identification information without lawful permission.
- Sep 2009 – S.B. 09-241 requires each adult arrested or charged with a felony to submit to a DNA test; includes procedures for collection and use.
- Sep 2009 – Jefferson County Court Judge Vance, during his duty division week, sets many bail bonds in accordance with the findings and discussions from the Jefferson

County Bail Project, as a way to test new policies and procedures that would be part of a subsequent, larger scale pilot project.

- Sep 2009 – Jefferson County Public Health revises its referral process for Nurse Family Partnership and its other nurse home visitation programs to be more accessible by justice system agencies.
- Oct 2009 – H.B. 09-1122 expands eligibility for sentencing to the youthful offender system to allow certain adult offenders who commit certain crimes when they are 18 or 19, and who are sentenced prior to their twenty first birthday, to be sentenced to the system.
- Oct 2009 – Jefferson County Public Schools hires a new LifeSkills Training Coordinator, Mary Blair, to replace Judy Hindman.
- Nov 2009 – Colorado Commission on Criminal and Juvenile Justice releases findings, recommendations, and a proposed plan for the ongoing study of sentencing reform.
- Nov 2009 – Jefferson County voters reject extending term limits for certain county officials (e.g., Sheriff, District Attorney).
- Nov 2009 – Criminal Justice Planning staff present findings on bail and pretrial research to Boulder County Bar Association, Criminal law Section.
- Dec 2009 – Ralph Schell replaces Jim Moore as Jefferson County Administrator.
- Dec 2009 – The Jefferson County Detention Facility Use Plan completes its second year of implementation.

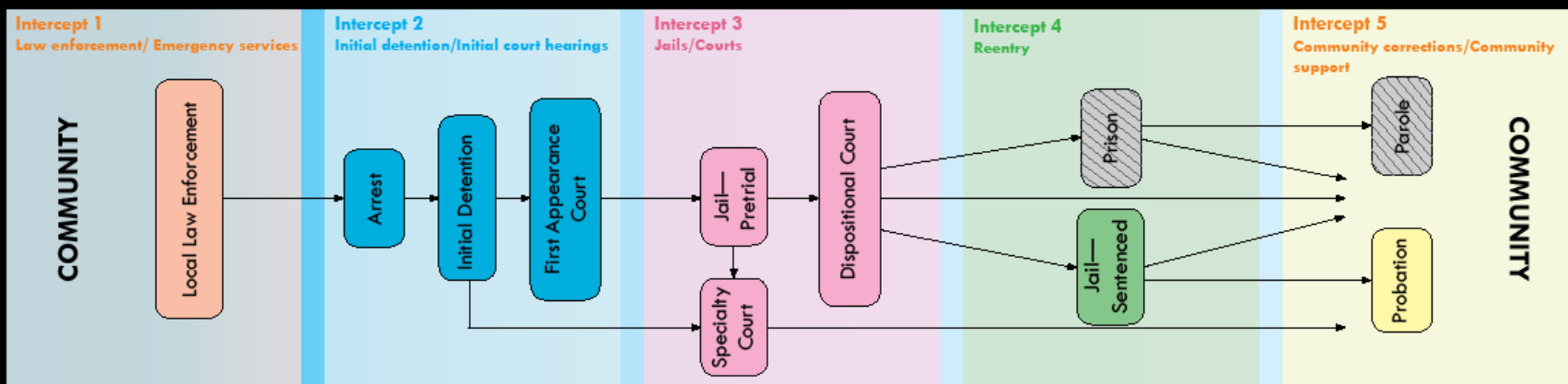
# Results of Intercept Model Process

Mental Health and Substance Abuse Subcommittee

Prepared for  
Criminal Justice Strategic Planning Committee Meeting  
January 20, 2010

## Actions for State Level Change...

- Develop a statewide effort to provide Crisis Intervention Training for police as done in OH, AZ
- Pass legislation encouraging jail diversion programs as done in FL, MI, IN, CT, TX
- Facilitate changes at the State level to allow the retention of Medicaid or SSI eligibility via suspension in jail rather than termination, as done in Lane County, OR
- Remove constraints that exclude persons formerly incarcerated from housing or services; make criminal justice clients a priority for housing, as done in MD
- Expand access to evidence-based programs in community-based services for people with mental illness in contact with the justice system
- Create criminal justice priority eligibility group without "net-widening" or limiting services to others; for instance, by using HUD funds for housing and Justice Assistance Grants (JAG)
- Provide access to comprehensive and integrated treatment programs for persons with mental illness and co-occurring substance use disorders diverted or released from the criminal justice system
- Legislate task forces/commissions made up of mental health, substance abuse, and criminal justice stakeholders to legitimize addressing the issues as done in TX, AZ, CA
- Utilize the State planning process to integrate mental health, substance abuse, and criminal justice; identify incentives to get stakeholders in each system to the table
- Support training programs that focus on cross-systems collaboration and provide opportunities for using people with mental illness as cross-trainers



## Action Steps for Service Level Change by Intercept...

- **Request for Police Service:** Train dispatchers to identify calls involving persons with mental illness and refer to designated, trained respondents
- **On-Scene Assessment:** Train officers with de-escalation techniques to effectively assess and respond to calls where mental illness may be a factor
- **Incident Documentation:** Document police contacts with calls involving a person with mental illness to promote use of available services and ensure accountability
- **Police Response Evaluation:** Collaborate with mental health partners to identify available services and reduce frequency of subsequent contacts by individuals with histories of mental illness and with prior arrests

Source: Policy Statements 2-6, Consensus Project (2002)

- **Appointment of Counsel:** Provide defense attorneys with earliest possible access to client mental health history and service needs, available community mental health resources, and legislation and case law impacting the use of mental health information in case resolution
- **Prosecutorial Review of Charges:** Maximize the use of alternatives to prosecution through pretrial diversion in appropriate cases involving people with mental illness
- **Pretrial Release & Modification of Pretrial Diversion Conditions:** Maximize the use of appropriate pretrial release options and assist defendants with mental illness in complying with conditions of pretrial diversion

Source: Policy Statements 7-11, Consensus Project (2002)

- **Intake Procedure:** Establish a comprehensive, standardized, objective, and validated intake procedure to assess individuals' strengths, risks, and needs upon admission
- **Individualized Programming Plan:** Using information obtained from assessments, identify programs necessary during incarceration to ensure safe and successful transition to the community
- **Physical Health Care & Mental Health Care:** Facilitate community-based providers' access to prisons and jails and promote service delivery consistent with community and public health standards
- **Substance Abuse Treatment, Children & Families, Behaviors & Attitudes, Education & Vocational Training:** Provide effective substance abuse treatment, services for families and children of inmates, educational and vocational programs, peer support, mentoring, and basic living skills

Source: Policy Statements, 8-16, Re-Entry Policy Council (2004)

- **Subsequent Referral for Mental Health Evaluation:** Identify individuals not identified in screening and assessment process who show symptoms of mental illness after their intake into the facility and ensure appropriate action is taken
- **Development of Transition Plan:** Effect the safe and seamless transition of people with mental illness from prison or jail to the community
- **Transition Planning:** Facilitate collaboration among corrections, community corrections, and community providers and utilize a transition Checklist to identify service needs and provide effective linkage to services
- **Identification & Benefits:** Ensure releases exit prison or jail with ID and prior determination of eligibility and linkage to public benefits to ensure immediate access upon release from prison or jail

Source: Policy Statements 19-21, Consensus Project, (2002); APIC Re-Entry Report, GAINS Center; 18 & 24, Re-Entry Policy Council (2004)

- **Implementation of Supervision Strategy:** Concentrate community supervision resources on the period immediately following the person's release from prison or jail, and adjust supervision strategies as the needs of releasee, victim, community, and family change
- **Maintaining a Community of Care:** Connect inmates to employment, including supportive employment services, prior to release. Facilitate releasees' sustained engagement in treatment, mental health and supportive health services, and stable housing
- **Graduated Responses & Modification of Conditions of Supervised Release:** Ensure a range of options for community corrections officers to employ to reinforce positive behavior and effectively address violations or noncompliance with conditions of release

Source: Policy Statements 26-29, Re-Entry Policy Council (2004); 22, Consensus Project (2002)

# Intercept 1: Law Enforcement/Emergency Services

## • Strengths

- There are a variety of options for reporting a mental health or substance abuse crisis, emergency, or crime.
- CIT training has become widespread and is highly valued.
- Implementation of the CJ/MH case management program has improved communication between mental health community and law enforcement.

## • Weaknesses/Gaps

- "Frequent flyers"
  - Overuse of 911
  - Lack of engagement in sustained treatment
  - Jail as "easiest" option
  - Consumption of officers' time
- The planned metro area Triage Center project is stalled.
- CIT \$\$ challenges
- Different attitudes remain towards substance abuse versus mental illness.

## Intercept 2: Initial Detention/Initial Court Hearings

### • Strengths

- Screening, classification, and referral for mental illness occurs rapidly and efficiently in the jail.
- Access to psychiatric medications and the psychiatrist in the jail is rapid (better than community).
- The Special Housing Unit (SHU) safely segregates individuals in crises.
- Discharge planning begins early, via referral to the mental health transition planner.

### • Weaknesses/Gaps

- There is no diversion at this intercept.
- Focus is on mental health screening; substance abuse screening is only incidental.
- Significant communication gaps hinder the court's awareness of mental health needs/considerations.
- Agencies' representatives that staff a case generally do not have specialized knowledge/training in mental illness or substance abuse.

## Intercept 3: Pretrial/Jails/Courts

### • Strengths

- Continuity of care: There is good communication and case flow between Jail Mental Health, the mental health transition planner, and JCMH's criminal justice/mental health case management program.
- Inmates have access to some self-help and therapy groups in the jail.
- Pre-sentence investigations contain valuable information about mental/physical health, substance use and treatment history.
- Inmate/Outmate provides a community based, cost-effective sentencing alternative to the jail for DUI offenders.

### • Weaknesses/Gaps

- Mental health treatment in the jail is limited and substance abuse treatment is non-existent.
- There is no connection between the jail and community-based substance abuse treatment agencies.
- No formal incentives exist for obtaining treatment while on pretrial status.
- There is no tracking of, or transition planning for, individuals with substance abuse issues.

# Intercept 4: Reentry from Jails, Prisons, and Hospitals

- Strengths

- The mental health transition planner provides referrals to JCMH and other community resources.
- The JCMH criminal justice/mental health case management program does in-reach to clients in the jail.
- Releases from JeffCo jail and DOC can access psychiatric medication for 30 days post-release.
- *Footsteps* program provides wraparound therapy/case management to substance abusing/dually diagnosed women, beginning in the jail and continuing in community.
- DOC has formalized and standardized its pre-release and reentry programming into a 10-module wraparound program.

- Weaknesses/Gaps

- There are numerous barriers to obtaining ID's and accessing benefits.
- There is no in-reach from community substance abuse treatment providers into the jail.
- Increasingly, the transition planner is serving the general population.
- Work release: The transition planner has minimal contact with WR, and WR inmates cannot access Jail Medical/Mental Health.
- Treatment in DOC prisons is limited to medications and programming is minimal. Instead, reentry planning is squeezed into 8 weeks pre-release, and the need overwhelms the supply.

# Intercept 5: Community Corrections/Community Support

- Strengths
  - Programming: A variety of community corrections programs provide specialized services to mentally ill releases (JERP, RMHS, START).
  - There is some access to transitional housing for homeless parolees.
  - Independence Corner houses JCMH criminal justice/mental health case management and mental health specialist probation officers in a "one stop shop" for clients.
  - Female Offender Probation provides specialized services to high risk, substance abusing female offenders.
  - The Jefferson County Recovery Court (JCRC)
- Weaknesses
  - Homelessness, limited housing options for felons/mentally ill
  - Difficulty with medical needs in community corrections due to "inmate" status. May result in return to prison in order to access care.
  - No specialized drug offender probation for males.

# Themes

- Most weaknesses are holes, i.e. are not systematic.
- Screening, assessment, and consideration of mental health needs is thorough and occurs fairly rapidly in Intercept 2.
  - However, screening is mainly for classification and containment.
  - Information is typically not communicated to the courts for consideration in the disposition of the case.
- Programming for the mentally ill has improved and increased in last 5 years (transition planning, case management).
  - However, parts of the system lack knowledge of these program/sentencing options.
  - There is no coordinated, systematic "track" for individuals with mental illness.
- There is no diversion for mentally ill or substance abusing offenders.
- Justice System agency representatives do not have specialized training in MI/SA.
- There is no meaningful substance abuse screening or assessment until Intercept 3.
- There is no special consideration of substance abusers until Intercept 5. The only "systemwide" treatment of substance abuse is the JCRC.

# The Next Steps

- Prioritize weaknesses/gaps
- Determine next directions
  - Patch individual holes or develop separate mental health "court" or "track"?
  - Substance abuse
- Apply findings to grant application (Criminal Justice/Mental Health Collaboration Grant)

# 69 Ways To Save Millions

CONNIE CLEM



**Jail funding has been an issue** as long as jails have existed. When economic times are good, jail leaders focus on getting the most impact from a workable budget. When the squeeze is on, the question becomes how to continue to operate, and operate safely.

The U.S. recession has affected county governments in different ways. Some jails are being held to zero percent budget growth, though they are obliged to meet cost-of-living wage adjustments. Other jails must actually cut their budgets. Actual or anticipated budget pressures create the need to find new solutions.

To learn how jails have responded to the recent economic downturn, the author contacted jail administrators from across the United States. This article summarizes the ideas and strategies that are enabling them to deliver on their commitment to public safety. Two themes that emerged involve reducing services without losing what's essential, and preserving those line items that actually create savings. These savings may be seen within the jail itself, in the broader public safety system, or elsewhere in government.

As Chief Jailer Jim Coleman (Shelby County, Tennessee) notes, budget crunches only reinforce

existing problems with jail funding. By helping people understand the value of jail work, jail leaders can turn around those perceptions and improve their position for funding requests. Director Stacy Sinner (Olmsted County, Minnesota) says she looks at cost control at four levels of focus—jail operations, jail administration, the county board, and the State legislature. The key is seeing the jail from both inside and out—that is, seeing the jail's relationship with local justice, county government, and statewide policy on law enforcement and public safety.

The author would like to thank the following jail leaders who provided interviews or written material for this article:

**Tim Albin**, Chief Deputy, Tulsa County Sheriff's Office, Tulsa, Oklahoma.

**U. J. "Bill" Black, Jr.**, Commander, Jail Division, Boulder County Sheriff's Office, Boulder, Colorado.

**Jim Coleman**, Chief Jailer, Shelby County Sheriff's Office, Memphis, Tennessee.

**Marilyn Chandler Ford**, Director, Volusia County Division of Corrections, Daytona Beach, Florida.

**Al Guerin**, Assistant Sheriff, Detention Services Bureau, San Diego County Sheriff's Department, California.

**Jon Hess**, Undersheriff, Kent County Sheriff Department, Grand Rapids, Michigan.

**Pat Hunton**, Captain, Custody Operations Bureau, Monterey County Sheriff's Office, Salinas, California.

**Leroy Kirkegard**, Deputy Chief, Detention Services Division, Las Vegas Metropolitan Police Department, Las Vegas, Nevada.

**Mark Martin**, jail consultant and author, Lincoln, Nebraska.

**Tom Merkel**, Director, Hennepin County Department of Corrections, Minneapolis, Minnesota.

**Delores Messick**, Chief Deputy (Retired), El Paso County Sheriff's Office, El Paso, Texas.

**Roy Mueller**, Director, St. Louis County Department of Justice Services, Clayton, Missouri.

**Patricia Mundell**, Chief, Detention Services Division, Jefferson County Sheriff's Office, Golden, Colorado.

**Glenn Ross**, Sheriff, Penobscot County, Maine.

**Timothy P. Ryan**, Director, Miami-Dade County Department of Corrections and Rehabilitation, Miami, Florida.

**Aaron Shepherd**, Administrative Lieutenant, Ada County Sheriff's Office, Boise, Idaho.

**Stacy Sinner**, Director, Olmsted County Sheriff's Office Detention Services, Olmsted County, Minnesota.

**Phil Spence**, Bureau Chief, Detention Administrative Services Bureau, Arapahoe County Sheriff's Office, Centennial, Colorado.

**Scott Story**, Sheriff, Waldo County, Maine.

**A. T. Wall**, Director, Rhode Island Department of Corrections, Cranston, Rhode Island.

**Art Wallenstein**, Director, Montgomery County Department of Correction and Rehabilitation, Rockville, Maryland.

**Tara Wildes**, Chief, Jacksonville Sheriff's Office, Jacksonville, Florida.

Agency staff and allies outside the jail can all be sources of good ideas and support in the face of budget pressure. Jails may also be able to raise revenues in various ways. Overall, handling budgetary challenges takes professionalism, engagement, and leadership, coupled with demonstrated good stewardship of public resources.

Specific cost-cutting strategies can focus on five main cost areas: physical plant, operations, programs and services, personnel, and population management.

### Physical Plant

Running a jail facility is unavoidably expensive, but energy is one area where jails are finding ways to reduce their costs. No-cost energy use audits may be available from a local utility. The jail in El Paso County, Texas, does its laundry at night, during off-peak hours, when energy costs are lower.

Jails can add motion sensors to control lighting use, where appropriate, and to turn off televisions when no one is present. Some jails may be able to take advantage of energy-saving features in their facilities' control systems. One jail learned that its light fixtures could be programmed for control and activation by the shift supervisor.

El Paso County saved money when it found the jail's dayrooms had adequate natural light from skylights. Olmsted County decided to reduce the jail's lighting by one-third after business hours—after confirming that the security cameras would continue to work at lower light levels. In addition, simply asking the jail staff to turn out the lights in empty rooms and in storage spaces also can add up to savings.

Solar energy offers significant potential for energy cost savings and earned income for jails. El Paso County is installing solar photovoltaic collectors in a planned facility expansion, in a partnership with the local electric company. Much of the power generated in summer will

offset air conditioning costs. Delores Messick (retired chief deputy, El Paso, Texas) says, "Long term, we're talking about a lot of money." If excess generated energy can be pushed out to the electric grid, the jail will also gain income. The agency is also restoring a solar hot water system that had been idle for many years on the roof of a downtown high-rise facility.

### Operations

Jails are finding many ways to reduce costs in their basic daily operations. Capt. Pat Hunton (Monterey County, California) says detailed oversight of expenditures in service and supplies accounts is essential. It is also important to distinguish between the nice-to-have and the must-have. Agencies can get more mileage out of items such as bedding and inmate clothing. A new laundry system in Boulder County, Colorado, has reduced the use of chemicals.

Olmsted County found that it could limit inmate television to basic cable while providing patrol staff access to channels including necessary weather information.

Transportation partnerships may be an option for some jails. Maine's counties use a unified inmate transportation system, with certain counties acting as hubs. The Transports Across Colorado cooperative had saved the Boulder County jail nearly \$60,000 in salary costs alone by mid-2009.

Director Art Wallenstein (Montgomery County, Maryland) recommends that jails find opportunities for contract bridging, in which county or State agencies become party to other publicly bid contracts on services such as telephones, pharmacy, and food service. Jails cannot only find the best deals but also eliminate months of staff time otherwise needed to manage the contracting process.

Participating in the State purchasing system has turned out to be an advantage for some items such as cell phones and vehicle purchases,

says Sheriff Glenn Ross (Penobscot County, Maine). But for some other routine purchases, such as bread, his agency finds better deals by shopping day to day.

The Tulsa County Jail came out ahead when the administration aided a new partnership between the jail's food service vendor and commissary contractor. The food service vendor gets cheaper pricing on items that are sold by the commissary. Placing vendor-provided commissary purchasing kiosks in the housing units has also increased sales and revenues.

Tulsa County also sells prepaid phone cards to inmates. Because they can be used to call cell phone numbers, the cards are quite popular. Chief Deputy Tim Albin (Tulsa, Oklahoma) says that the jail not only receives revenues, but bed use is also down because it is easier for detainees to reach family and friends to make bail. The phone system also yields intelligence that has proven useful for jail security, law enforcement, and prosecutions.

In food service, jails often can find lower-cost ways to meet dietary standards. For example, as Director A. T. Wall (Cranston, Rhode Island) points out, fresh fruit is less expensive than juice. In Boulder County, the jail grows most of its own produce on a one-acre garden overseen by master gardeners, the jail's nutritionist, and the food service manager. In El Paso County, the jail bakes its own bread and deserts, and graduates of its 720-hour training program are well placed for employment after release.

Medical care also takes a big bite out of budgets. Oklahoma counties partnered with the State sheriffs' association and a medical care provider to ask the legislature for help on paying for care of indigent inmates with pre-existing conditions. Jails often receive inmates, such as methamphetamine addicts, who need hospitalization. New legislation made inmates responsible for payment, and hospitals can file for

Medicaid or Medicare reimbursement at State rates.

The Boulder County Jail has negotiated to pay Medicare rates for hospitalizations and is collecting Medicare and Medicaid payments for inmate care. To reduce pharmacy costs, jails can use formularies and switch to generics where possible. The jail in Kent County, Michigan, provides incentives for the medical care contractor to find cost reductions.

Technology innovations also can lower the jail's operating costs. Electronic kiosk cash systems reduce labor costs while making services more convenient for the public and inmates. The jail in Jacksonville, Florida, was able to eliminate a number of paper forms and distribution of copies by substituting an electronic process, all at the suggestion of line officers.

Jails are expanding their use of video conferencing for court appearances and cutting officer and transportation costs. The jail in Ada County, Idaho, uses video conferencing for arraignments other than for district court and is looking into doing the same for State prisoners, whom the jail must otherwise transport to the court.

Ada County also is implementing an electronic facility management system that will centralize data ranging from special diets to work program participation to court dates. Commander Bill Black says his staff in Boulder County, Colorado, are impressed by the scope of the information they obtain from their facility management system. Monthly team reviews of system data go a long way toward helping control costs throughout the agency, from purchasing and maintenance to overtime control.

### **Inmate Programs and Services**

Historically, inmate programs have been an easy target for cuts. When budgets come down to the wire, essential services must take priority. Keeping a security position

inside the jail can be more important than a supervisor position for an inmate work crew, and people will adjust to seeing longer grass on the facility grounds.

But not all programs are optional. Regarding essential mental health care, Sheriff Ross says the public and decision-makers seldom understand the precariousness of the jail's situation. For example, if his jail loses funding for a mental health care contract through the local hospital, the jail will lose access to some 1,500 mental health screenings per year. These screenings are crucial for reducing jail suicides. Ross says, "If you're a trucker, you're going to have to have tires. If you're in the jail business, you're going to have to have mental health care and a pharmacy."

While helping to reform juvenile justice in Nebraska, jail consultant Mark Martin learned how to tap into a range of Federal funding sources with potential relevance for corrections. Jails may find funding for mental health care, vocational rehabilitation, and other social services programs for which States receive support that seldom finds its way into corrections. To explore funding options that will assist jail inmates, Martin recommends building relationships with other agencies and systems of care.

Even with non-essential services, jails need to be careful not to make program cuts that have unintended consequences. More than one jail has cut a program to eliminate a position, such as a work release supervisor, and found itself with more beds filled as a result.

Some work programs are valuable for their public relations benefits. Sheriff Ross directs work programs that generate goodwill plus cost savings. Inmate work crews salvage material from overturned tractor trailers on icy winter roads. Salvaged cargo sometimes is donated to the jail.

Director Tom Merkel (Hennepin County, Minnesota) emphasizes

that jail leaders need to understand evidence-based practices. They need to know what works and what does not in terms of inmate programming and outcomes. Decision-making needs to be data-driven. Director Roy Mueller (St. Louis County, Missouri) expressed concern that budget cuts could mean eliminating the case managers who provide services on the housing units and are important in supporting successful reentry. Sheriff Scott Story (Waldo County, Maine) describes a restorative justice program in which volunteer mentors work with inmates before and after release. The Boulder County Jail reentry program has cut recidivism from around 65 percent to just 15 percent, and El Paso County also has a reentry program with less than 15 percent recidivism.

Lower recidivism brings system-wide cost savings plus good public relations. Chief Jailer Coleman points out that the staff benefits when their work is perceived more positively by the public. Coleman also notes that assessments conducted in jail could jump-start inmates into academic and vocational programming after conviction and save system resources.

In El Paso County, inmates in a worker training program transformed the agency's headquarters landscaping at nearly no cost to the county. The master gardener, sprinkler/irrigation system, horticultural design, and planting tracks came together in the project for hands-on experience. Cactus, other plants, and rocks were salvaged from an expansion site at nearby Fort Bliss to create a botanical display garden.

## Personnel

Personnel expenses are one of the main targets for reductions. When budgets need to be cut, Director Mueller says, "That means people." Chief Deputy Albin agrees, observing, "Everyone's number one cost is personnel." Attrition and retirement incentives are often cited as tools to save on staff costs. Yet whatever the personnel cost pressures may be, the

need for safety and security is absolute—for staff, inmates, and others who enter the jail, as well as for the greater community.

It can be illuminating to look more broadly at what forces drive a jail's need for personnel. Simply cutting positions may be counterproductive. Salary and benefits are the both the largest cost item and a key element of attracting, rewarding, and retaining staff. Administrators constantly need to balance agency budget needs and the effects of job cuts on staff morale. Too thin of a workforce also makes the remaining staff compensate in ways that may be too stressful to maintain over time.

Commander Black says, "The mental health of the staff is worth quite a bit." In Boulder County, Colorado, county staff received a smaller salary increase, and the jail was able to cut work days and reduce staff work hours. Staff were willing to accept these changes because they did not lose health care benefits or pay more in insurance contributions.

In Olmsted County, Minnesota, the employee bargaining units all agreed to furloughs. All staff will have their work days reduced by 9 days per year, though non-contract staff could have been required to take as many as 12 days. This saving has enabled the agency to continue giving annual cost-of-living allowance (COLA) increases. The COLA element is powerful leverage, because retirement pay is based on the employee's five highest-earning years.

Operating with fewer personnel can work, says Chief Deputy Albin, but it takes careful oversight from management. "If a problem develops in the jail, the response within the first hour is what matters. That means supervisors." Some jails are dual-tasking their supervisors and managers. Aside from the vacancy savings, the agency can benefit as staff gain cross-training and expertise in more functions. But demands

must be monitored carefully and kept in balance, to prevent staff from reaching burn-out.

Director Mueller has made one unit manager responsible for two housing units of four pods each. Operating at this level is not easy, he says, and unit managers are on a one-year rotation. In the same jail, a county-wide hiring freeze has meant that some posts are now staffed completely via overtime. Approved new unit manager, case manager, clerical, and correctional officer positions went unfilled, and the classification unit is handling growing numbers of incoming inmates without the help they had been expecting.

San Diego County closed a minimum-security camp rather than freeze hiring at all eight of the county's jail facilities and operate them less safely. The closure saved direct operating costs, and by reassigning staff, the department also eliminated vacancies and reduced overtime at other sites.

Agencies facing personnel cost pressures can also step back for a broader perspective on the jail's role and the role of staff positions within the operation. A review of jails in Maine suggested that several smaller county jails could be closed, but officials realized arresting officers would spend many more hours transporting detainees. The Ada County jail sought help from the court in getting at least the high-security cases scheduled first on the day's docket, to keep inmates and their officer escorts from spending all day at court or experiencing case continuances.

Examining officer assignments can uncover opportunities to shift tasks and save on personnel costs. Director Marilyn Chandler Ford (Volusia County, Florida) recommends that jail managers look at their posts from two perspectives. First, they can identify which posts the jail would keep filled at maximum staffing levels and ideal budgetary conditions. Then, they can look at their essential threshold

posts that are necessary for keeping the jail functional on a safety and security basis. This review process shows what posts can be cut back safely if budget pressures dictate. Performance indicators such as disciplinary reports, staff and inmate injuries, and assaults provide useful data.

Director Wall suggests listing the tasks that must be performed, then examining what staff positions can perform them. A jail may be able to reconfigure posts, consolidate posts, or close a post at a particular time of day. The Ada County jail created an 11:00 to 11:00 swing shift to increase staffing for the busiest times and reduce staff for the slower times.

Correctional officers may not be needed to perform certain tasks. Jails can look at who handles the control center, who is directly supervising inmate workers in food service, who handles commissary activity, or who is doing data entry in booking. Chief Patricia Mundell (Jefferson County, Colorado) was able to convert overtime funds to create 15 full-time equivalent civilian detention specialists in the jail.

Creating a detention officer classification is another option. New recruits in Arapahoe County, Colorado, complete a 9-week detention officer academy rather than the full 16-week POST certification. Graduates are weapons-qualified, but their law enforcement authority is restricted to their duties in the jail. Bureau Chief Phil Spence (Arapahoe County, Colorado) says the new track also helps the jail hire people who are interested in a corrections career path rather than patrol.

To say overtime is a money pit for many jails is an understatement. Though overtime may seem to be a fact of life, there are ways to tame it. The first step is to determine where overtime money is going. A review of overtime in Monterey County, California, revealed a steady increase over three years, though minimum staffing levels had not changed. Supervisors had increased

staffing levels without authorization, misunderstood the shift minimums, or had requested and approved supplemental staffing.

Agency culture can be a factor in overtime use. Director Sinner says, "High performers make it in to work." Olmsted County monitors staff with three or more unscheduled absences, and those who reach six absences lose their opportunity to bid for preferred shifts. Sinner continues, "As public servants, we need to look at performance issues as it relates to things like overtime costs. We have to be responsible to the taxpayers."

Chief Mundell notes that the Jefferson County Jail implemented a new shift plan in January 2008 that reduced overtime in the detention division by more than \$500,000. Director Wallenstein recommends that jails should avoid letting posts go vacant, to avoid the overtime needed to cover them. He says, "Recruit 'til you drop so you have positions in the drawer to fill vacant posts."

The keenest tool for understanding staff deployment and reducing overtime is the net annual work hours analysis. This process helps the jail calculate the positions needed to fill its budgeted posts and avoid using overtime to fill incidental vacancies or permanent positions. The analysis factors in every category of leave that can keep staff away from their posts, including smaller categories such as injured on duty leave, leave for injuries while not on duty, and medical review status.

Training costs are another common target when budgets need to be cut. A slower economy can mean less staff turnover and fewer staff needing entry-level training. Director Ford says jails can cut some positions, but, "You don't want to lose all your trainers. The continuity is valuable." Olmsted County is utilizing its training staff and resources to improve the agency's performance in areas such as gang management and information technology.

## Population Management

Jails exist because people are detained in or sentenced to them to achieve public safety ends. The steady supply of inmates creates a steady demand for jail beds. Understanding who is in the jail, and why, can lead communities to cost savings and a more effective justice system. Jails can actively lead this process to arrive at better public policy solutions.

Admissions and length of stay drive jail populations. Regarding crowding, Sheriff Story notes, "The problems are very systemic. ... At the end, there's a prison warden or a jail administrator standing at the door to take these people. They are the last ones to have any say in who comes here."

Director Wall concurs, saying "Jails can never say 'no' to an admission." Controlling admissions and releases can be done only through cooperation with police, prosecutors, and the judiciary, and the solutions take a lot of analysis and planning.

In jails where the population tends to fluctuate, units may be able to be closed. Wall says that, even if a unit remains closed for just a day or two, this saves money and reduces the need for overtime as unit staff are redeployed elsewhere.

Seemingly small changes can cause population jumps. Director Mueller says that as result of bonds being set a bit higher for two felony classes, fewer detainees are able to make bond. Maine analysts looked at consistency in pretrial practices throughout the State—for example, in the use of assessments to avoid needless incarceration. It made no sense to jail offenders in some locations only because they could not come up with \$40 for a bond fee or \$250 for bail.

Relationships with local criminal justice actors can be very important—judges, the State's attorney, the public defender, and public safety coordinating councils, and even with local police. Director Ford says it's helpful when these actors under-

stand how their actions affect the jail. Street sweeps, no-tolerance policies for probation violators, charging practices, and new laws all have population impacts.

At root is the question of the jail's mission. In Ada County, the sheriff led a dialog on the role of the jail in the community—who needs to be in the jail because of risk? One result of the county's policy reviews is that offenders who were once released on \$50,000 bond are now released on \$5,000 bond plus electronic monitoring.

Chief Mundell described how agencies in Jefferson County joined in adopting a jail-use plan that documents a commitment to effective jail use by the sheriff, the chief judge, and other policymakers. The mission of the detention facility is specifically defined, and all criminal justice officials are engaged in regulating the jail population. Keeping beds open is a stated goal to deter the commission of new crimes and noncompliance with court orders.

The jail population in Boulder County has gone down over the past few years, after only one small expansion since 1988. Commander Black attributes this to local justice system collaboration, dating back to the 1993 establishment of a criminal justice management board and a range of alternative sanctions. He says, "There are too many other needs in our society to be building jail cells." The board implemented a plan in which a person mandatorily sentenced to work release will serve that time in a placement determined by the jail—a weekender program, home detention, or a jail-based program.

Though admissions are one driver of jail populations, average length of stay has a greater impact on the average daily jail population. Analysts in Montgomery County have studied pretrial population dynamics closely. With half of jail inmates being in pretrial status, any



way to safely reduce pretrial length of stay is good strategy.

Director Wallenstein notes, "We have found that the more aggressive we are in understanding and engaging pretrial process, the lower we can drive the count." Montgomery County has been able to keep one unit closed for three years, for savings in operating costs and new construction. The county created a pretrial section that assesses new arrivals for bail review and the court, and it developed an assessment matrix that provides a structured rationale for recommending pretrial release. Recommendations for pretrial release (for those not bailed out immediately) rose from 17 percent in 2005 to 45 percent in 2009. The failure-to-appear rate has remained below 4 percent.

Montgomery County also created a new pretrial expediter post that establishes release eligibility for detainees who were not immediately released on bail, recognizance, or pretrial supervision—for example, by identifying an address or a family member to assist. This has cut several hundred bed-days per month.

Case continuances or "trailing dockets" are a problem for many jails. Delays can occur at trial, between conviction and sentencing, and after probation and parole violations. Sometimes jails can help examine these processes. Director Mueller's agency is studying pretrial options that will cut case processing time. The expedited approach in use in Washington County, Oregon, and elsewhere is of interest. This concept involves meetings of the defense and prosecution before arraignment to see if the case is suitable for a quick resolution. If the defendant agrees to the offer, a guilty plea is entered and the inmate begins serving a sentence in prison, jail, or the community rather than remaining in pretrial status for some length of time.

Montgomery County jail officials began meeting regularly with the courts and judicial system agencies to address court process. Taking a collaborative approach, the jail advocates for prompt scheduling of sentencing and encourages line prosecutors to argue against any continuances. A focus on pretrial process requires analysis across the entire system to identify efficiencies, and it raises—and attempts to answer—tough questions.

Unfunded mandates also fill jail beds. Jail officials in Olmsted County, Minnesota, are working with legislators to identify unfunded mandates that could be modified or repealed. They succeeded in repealing the State's Short Term Offender (STO) statute, which required that prison-sentenced inmates with less than six months to serve be housed in jail. This equated to about 20 inmates per day in Olmsted County, which is sometimes the difference between the jail operating at capacity and needing to buy beds elsewhere. Hennepin County analysts found the STO statute would shift about \$1.5 million in costs from the State to Hennepin County.

When a new law goes into effect that will involve the jail population, Director Ford recommends that the jail review its impact with the local criminal justice coordinating council and justice system. Past data can be used to forecast added admissions or jail sentences, plus lengths of stay.

Jails have found different solutions to their own specific population pressures. The Arapahoe County Jail in Colorado created a trustee program to handle a significant population of inmates with misdemeanor sentences and an U.S. Customs and Immigration Enforcement (ICE) detainer. Trustees earn 10 days of good time per month, which allows the jail to move them out faster. Tulsa County officials observed that, after 18 months of operating the 287(g) Program with ICE, the jail's inmate count was down about 100 to 150 inmates per day. The change was traced to lower

numbers of aliens cycling through the jail, as a result of deportations.

When the jail in St. Louis, Missouri, closed a work release program to cut staff costs, it turned to electronic monitoring to reduce bed needs. Judges who want to get tough on parents who fail to pay child support are encouraged to use electronic home detention or a weekender program instead of jail time.

Jefferson County operates a court date notification program to reduce bed use related to failure to appear. Callers provide court date notification to mainly misdemeanor defendants, provide other information, and answer questions.

Mentally ill detainees present special issues. Olmsted County uses the “Memphis Model” of crisis intervention, with patrol officers identifying mental illness issues on the street and diverting people to mental health facilities rather than jail. Montgomery County created a dedicated space for competency assessments in the jail, which are performed by State psychiatric hospital staff. This is saving the jail staff time, transport costs, and hospital bed-days. Jefferson County has a transition planner that acts as a liaison with the mental health department and helps arrange housing, job, and other services for inmates before they are released. A pilot project has the county probation and mental health agencies paying for 30 days of medications for releasees.

The jail in Arapahoe County operates a program that moves mentally ill offenders into the community for services. Arapahoe Diverts the Mentally Ill for Treatment (ADMIT) is a 26-week day reporting program for qualified jail-sentenced offenders. ADMIT provides treatment and medications, plus housing for participants who lack a suitable family residence.

### Revenue Options

Jails may also decide to take advantage of, or expand on, opportunities to charge for jail services.

Many jails receive significant bed-space revenues for housing U.S. Marshals prisoners, ICE detainees, State inmates, and/or detainees brought by law enforcement officers outside the jail’s normal range. Boulder County is participating in the State Criminal Alien Assistance Program (SCAAP), with revenues helping to fund reentry programming. Program revenues also fund a contractor position to manage the paperwork involved. Chief Deputy Albin notes, “You’re never going to make a profit running a jail. But you can make sure everyone who uses the facility is paying their fair share.” [*Editor’s Note: Jail facilities considering the housing of ICE detainees should be aware they will be required to meet various Federal requirements that may be beyond their respective resources.*]

### Making a Plan

When asked where they get ideas for cost savings, the administrators noted in this article shared these strategies:

- Get your staff engaged and reward them when they contribute.
- Network with other jail professionals—at national and regional conferences and meetings, and in online communities.
- Look outside the jail community to other government sectors, the business community, and vendors.
- Read, stay current, and continue to scan the news media to anticipate new issues.
- Use the National Institute of Corrections as a resource.

Deputy Chief Leroy Kirkegard (Las Vegas, Nevada) and others emphasize that communication with staff is essential in times of fiscal trouble. They need to understand what is happening with the jail’s budget and how it will affect them. After the sheriff made it clear that no officers would lose their jobs as a result of the downturn, the Las Vegas jail staff stayed committed and

engaged in solutions. Capt. Hunton concurs that line staff need to know how reductions will impact them, and supervisors need to know what role they will play in reducing costs.

Director Merkel states, “It goes without saying that the folks are your most valuable resource, so don’t avoid the hard conversations about program redesign, staffing patterns, and hiring freezes.” He suggests having as many face-to-face conversations with staff as possible and keeping communications open between management and staff.

Undersheriff Jon Hess (Kent County, Michigan) says staff need to be heard, not talked to. Director Sinner encourages staff to bring up ideas and talk with their coworkers. “We ask line people to do their best, and to let us know how we can save money.” A steering committee made of line staff has been “on fire” with ideas. The county government has used café-style meetings where staff from all levels in each department have “speed-dating” conversations to brainstorm on issues including criminal justice.

Director Tim Ryan (Miami-Dade County, Florida) adds that a jail leader should “constantly listen to his/her staff, for they seem to always be watching how we can do better.” Chief Tara Wildes (Jacksonville, Florida) says staff “appreciate being consulted for their thoughts, which assists in the maintenance of good morale.”

Engaging with the profession also is key. Director Ford says that she gains both immediate and long-term benefits from professional meetings and programs. Some ideas can be instituted immediately, and other ideas help her form a long-term strategy. Some jails may be allowing staff to travel to conferences if they use vacation time or pay their own travel costs. Jail consultant Mark Martin observes, “My ideas for cost management came from research, direct experience, and long involvement in working with a group of the most creative, innovative, and

efficient folks around. ...Small jail administrators have always had to get what they need through creative and innovative means and somehow make it work."

Jail administrators also need to engage with the jail's funding body and county leadership. This means doing your homework to make sure your budget requests are justified. Director Merkel advises jails to package their data—"Now more than ever, you need to be able to quantify the work you do." Capt. Hunton outlines the flow of information this way: "The sheriff needs to hear how reductions will affect overall operations. The sheriff justifies line item costs to the board of supervisors. The board compares the need of other county departments and ultimately decides how to apportion cost reductions." It is essential that the jail leadership provides clear and credible information to support these decisions.

Director Ford says integrity and reputation are at the core of the jail administrator's ability to advocate for the jail. At some point, jail leaders will have to stand their ground with budget people. It's important to educate the decision makers—county councils or boards of commissioners—on what it takes to run a jail in accordance with safety and security mandates. The decision makers need to have confidence that they are getting full and complete information when jail leaders tell them what they can cut and what the impacts and risks will be. This takes trust.

Finally, engaging the public is good strategy. Capt. Hunton says that it helps when the public is aware of the steps that jails are taking to use shrinking dollars in a responsible manner. Asking for book donations for the library, as Olmsted County has done, can demonstrate the jail's practical needs.

Director Merkel adds that leaders need to understand and communicate the department's mission at every opportunity. Sheriff Ross makes the point that not only is

the jail using public money wisely, it also is providing useful public services. Chief Jailer Coleman gives, as one example, the jail's role as a barometer of community health and a resource for control of conditions such as MRSA, mental health issues, tuberculosis, and influenza.


### Importance of Public Stewardship

Sheriff Story says that on the one hand, corrections faces "not-in-my-backyard" attitudes and a lack of funding—but when crime happens, the public also wants the justice system to "throw that guy in jail." Perhaps the reality is sinking in that public safety is not cheap.

Director Ryan observes that jail operations have always been the last to be funded and the first to be cut. But without an adequately funded jail, public safety cannot be maintained. Public safety and security must be the priority. If the jail is inadequately funded, law enforcement will not have a place to put criminal offenders, and the community will not have the level of safety they expect. The jail also may become at greater risk for legal action, with potential consequences that will divert resources away from other areas of community need. Safety and security within the jail will be diminished, resulting in more escapes, officer injuries, and other outcomes affecting the facility and the community as a whole. Without an efficient and effective jail operation, public safety is diminished and the true cost of all other public safety and justice services will go higher.

This all points, says Director Ford, to the need for jailers to continuously educate the decision makers (county commissions, legislatures, and the public as well) on the consequences of one choice versus another, and how controls and reductions impact the jail's mission of security, safety, and public protection.

According to Director Merkel, "Make no mistake about it, working your way through these tough financial times will require leader-

ship. Innovation and redesign must be the overriding strategy." Director Wall agrees, stating: "Now more than ever, it's time to make these decisions." In good budgetary times and in bad, jails need to safely perform the duties assigned to them by elected officials. It's up to today's jail leaders to forge the best path. 

### Resources

- Jail Resource Management: NIC training program.* See 2009–2010 Annual Training Catalogue at <http://nicic.org/Library/023761>.
- Liebert, D.R. & R. Miller. (2001). *Staffing Analysis Workbook for Jails, 2nd ed.* Washington, DC: National Institute of Corrections. <http://nicic.gov/Library/016827>.
- Martin, M.D. & T.A. Rosazza. (2004). *Resource Guide for Jail Administrators.* Washington, DC: National Institute of Corrections. <http://nicic.gov/Library/020030>.
- Martin, M.D. (2002). *Budget Guide for Jail Administrators. (Series).* Part 1: Developing the Budget ([www.nicic.gov/Library/017626](http://www.nicic.gov/Library/017626)). Part 2: Managing the Budget ([www.nicic.gov/Library/017628](http://www.nicic.gov/Library/017628)). Part 3: Beyond Budget Allocation—Sources of Funding and Services ([www.nicic.org/Library/017627](http://www.nicic.org/Library/017627)). Washington, DC: National Institute of Corrections.
- Pretrial Justice Institute. [www.pretrial.org](http://www.pretrial.org).
- Von Nostrand, M., et al. (2006). *Pretrial Case Processing in Maine: A Study of System Efficiency & Effectiveness.* Washington, DC: National Institute of Corrections. [www.nicic.org/Library/022013](http://www.nicic.org/Library/022013).

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