

**CRIMINAL JUSTICE ADMINISTRATION COORDINATION COMMITTEE
MINUTES OF DISCUSSION HELD ON
February 23, 2021**

Present: Judges Brouck Jacobs, Kevin Crane, Kimberly Shaw, Tracy Gonzalez, Stephanie Morrell and Commissioner Casey Clevenger. Also present were Boone County Commissioner Janet Thompson, Boone County Auditor June Pitchford, Boone County Circuit Clerk Christy Blakemore, District Public Defender Kevin O'Brien and Deputy Public Defender Jeremy Pilkington, Probation and Parole District Administrator Jared Drummond, Reality House Executive Director Blair Campmier, Major Gary German, Detention Director Damon Reynolds, Captain Jenny Atwell, Defense Attorney Rusty Antel, Court Services Supervisor Brandon Walker, Race Matters Friends Representative Peggy Placier, Jeanne Mihail and Susan Maze, Administrative Assistant Barbie Oeth, Court Administrator Mary Epping and Deputy Court Administrator Cindy Garrett.

1. Call to Order/Welcome

Judge Brouck Jacobs called the meeting to order via Zoom at 7:45 a.m. and welcomed guests.

2. Review Minutes of December 15, 2020

No corrections were noted.

3. Adult Court Services Report

Adult Court Services Supervisor Brandon Walker said as of last week there were 208 on bond supervision and 27 on home detention. He said these number have been pretty steady for the last 6 months, however noted there are almost double the number of people on bond supervision compared to 2018. Brandon said the numbers have risen over the last two years and are near highs when looking at the long-term perspective. RMF representation Peggy Placier asked how the increase can be explained. Brandon said the overall increase has been part of a long-term trend which has been a steady increase over the past 6 to 7 years. He believes this is due to the court's efforts to look at pre-trial release, his offices' efforts, and he does not believe the pandemic can be discounted.

4. Justice Reinvestment Initiative Grant

Court Administrator Mary Epping said in late 2020 to early 2021, the Supreme Court held a virtual "Leading Change Criminal Justice Leadership" series. The focus of these sessions included: early intervention – from public health system to law enforcement, after arrest from initial detention to community corrections and, the impact of race and poverty on criminal justice.

Mary said locally, through participating in the Stepping Up initiative, two sequential intercept mappings and NACo's leadership lab, one area of focus has been sequential intercepts 0-1 by increasing resources in the community for the public and first responders, including law enforcement. She said these resources will enable individuals and first responders to have more options when interacting with someone in a mental health crisis or in need of mental health services. Intercept 0 is before law enforcement is called, where the focus is on services in the community, and Intercept 1 is when law enforcement/911 has been called. Mary said she, Commissioner Thompson and Steve Hollis, from the Health Department, applied for JRI funding for a team to travel to Miami-Dade or Tucson to see their models of diversion and treatment in the jail; and also, for a consultant to assist in establishing the best use of FTEs the city is funding for licensed social workers to be a part of the 911 diversion, co-responders, or a mobile crisis unit. Mary said we were awarded \$38,000 to accomplish this.

Mary said 8 circuits were awarded funding. Mary said that by participating in this process we hope to have some positive changes. She said Burrell may have received funding to develop an access center. Mary said we will be reaching out to individuals from this meeting to help lead some of the initiatives. She said the funding has to be spent by August 31, 2021.

5. DOC Warrants

Judge Brouck Jacobs said when he was first took the bench, he went a year or two without seeing a DOC warrant however they seem to be more common in both Boone and Callaway counties. Probation and Parole District Administrator Jared Drummond said there was a policy change almost two years ago, that as an agency they determined DOC warrants would be issued on probation absconders. Jared said his staff's request should be on the record by filing a violation report and asking the court for a capias to replace the DOC warrant.

6. Race, Matters, Friends Update

RMF representative Peggy Placier said they sent out handouts prior to the meeting. Peggy said their mission is to reduce incarceration and to end the use of cash bail, which Illinois just recently did. She said they cannot afford to bail out many people due to their budget therefore they take an interest in the welfare of those individuals detained in the jail, especially pre-trial, which she said is more than 90% of the jail population. Peggy said their process still limits them to a \$2,000 or less bond, it must be a Boone county charge (includes municipalities in Boone) and the person must be a resident of Boone county. RMF Susan Maze reviewed some of their data. She said the bail fund has been in existence for two years. During the past two years they have spent \$77,000 to bail out 79 people, 45 of those individual's cases are completed. She said 95% of clients show up for court. They have had \$19,000 refunded from the courts with \$13,488 being seized by the court, which is 33% of their bail, for fines, fees and court costs, which does not include bond forfeiture. She said 21% of the bail fund cases from 2019 are still open. They have \$36,000 in outstanding bonds. RMF representative Jeanne Mihail said they

have been using publicly available data which includes the 0700 report and the current detainees list. They have analyzed trends on gender, race, location, and charge type from August 2020 through December 2020, which represents several thousand people and nearly 4,000 charges. She presented a summary of this analysis to the Columbia City Council on February 1, 2021, and they are continuing to look at this data. Recently reviewed data on outstanding warrants includes 1,067 people, and of those warrants: 83% for failure to appear, 83% of the people have a single warrant, and 80% of the warrants are for traffic and misdemeanor charges. They are trying to determine how they may intervene for what appeared to be minor charges. Susan said in June 2020, they submitted a request to the jail and it took about a month to clear up what they could and could not get. They submitted and paid for their request for 3 years of incarceration data. She said four months later they received 2 ½ months of the requested data. She said last week they received the remaining arrest data from the jail and they are now collecting information from the publicly available data. They have collected data from fall of 2019 and fall of 2020. They plan to do an analysis and will submit information from that data to the court in an effort to find outcomes on those people. Peggy followed up saying they have two studies going on, one on failure to appear cases in an effort to determine what can be done in lieu of jail and then a study on the warrant list. She said they have had calls from people with warrants wanting to know if they can provide aid. Peggy also discussed jail conditions, stating detainees and their families contact them recently regarding jail conditions relating to COVID and temperatures. She said RMF contacted the Jail Visitors Board with the complaints they have received. She said it is their understanding the Jail Visitors Board has not been able to visit the jail due to COVID. She said a local attorney advised them section 221.310, RSMo. gives the criminal courts the duty to inquire about and see to the human treatment of prisoners. Therefore, from now on they plan to inform judges and prosecutors of these complaints as well as the Jail Visitors Board based on this statute. Peggy asked if the court was likely to respond, and what channels they could use to report the concerns. Judge Brouck Jacobs said he understands the Jail Visitors Board has not been able to visit the jail for about a year and he understands the reasons of not wanting to allow additional opportunities of introducing COVID through visitors. He asked the jail if there was a way to allow the Jail Visitors Board in for a visit in order to report back. Detention Director Damon Reynolds said he received a call on Friday from the Jail Visitors Board regarding a visit and he said right now due to COVID, they are not allowing anyone from the public into the building. Judge Jacobs inquired about allowing members of the Jail Visitors Board in if they have had the vaccine and are willing to wear masks. Lt. Reynolds said he will explore additional possibilities with Major German and the Sheriff.

Lt. Reynolds said no one has contacted him and they have internally addressed concerns brought to them by detainees. He said the jail has done a great job of handling COVID. He said as to the issues brought up regarding temperatures of the building, they were very aggressive in handling those issues with their maintenance staff. Lt. Reynolds said the heat is on and is working, their maintenance staff checked the temperate in each cell so he knows what the temperatures are. Judge Jacobs said further concerns can be taken up with the county officials that run the jail. Jeanne said she has gone out to the jail during the past several months to bail people and she has never seen a staff member wearing a

mask. Defense attorney Rusty Antel voiced concerns about how much of RMF money is going to the courts to pay fines and costs. He inquired if the court can adopt a court rule for any community bail fund not to be used to pay fines and costs. Judge Jacobs said he would be happy to revisit. Judge Jacobs said as to the report on failure to appear cases, he said there are different severity levels, in which he does not believe judges are doing warrants when someone misses one court appearance on routine appearance, however if someone fails to appear for a pre-trial conference the day before or day of trial then there most certainly will be a warrant issued. He said he believes docket entries will show a pattern of failing to appear. Judge Jacobs said a warrant amnesty was mentioned, and he knows some municipalities have done this. He said some times if a warrant goes out and the person has a bondman, the bondman will bring the defendant to court. He said there is always the risk the judge will have them remanded to jail, however there are other times the judge will inquire about reasons for missing court and then recall the capias. Therefore, he said RMF can have their own amnesty and bring these individuals to court when the judge is on the bench. Susan pointed out that between August and December, 2020, 134 people were booked into the jail for only minor rules violations. Judge Jacobs said each case is looked at individually and he would be interested in knowing how many times the person failed to appear before a warrant was issued. He said on traffic and relatively low misdemeanors he would wager there were probably 3 or 4 occasions where the person repeatedly failed to appear, leaving very little recourse. Susan said they could to do the analysis if the data could be sent to them.

7. Other

Judge Brouck Jacobs said the primary function of these meetings is to make sure all the people involved in the justice system are operating where one hands knows what the other hand is doing and so we can all be efficient. He said judges are not to consider things outside the courtroom. Judge Jacobs said he appreciates all being present.

8. Next Meeting

The next meeting will be Tuesday, March 23, 2021, at 7:45 a.m. The meeting adjourned at 8:25 a.m.

Prepared by: Cindy Garrett Distributed on: _____
Cindy Garrett
Deputy Court Administrator

cc: Meeting Attendees
Presiding Commissioner Atwill
Commissioner Aldred