

**LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION
JAIL POLICY COMMITTEE**

**Meeting Summary
Tuesday, March 22, 2022**

Members Present: Leo Smith and Thomas B. Wine, Co-Chairs; Eric Troutman (designee for Director Dwayne Clark); Kelsey Doren; Angela Darcy; Karen Faulkner; Amy Hess; Judge Annette Karem; Daniel Johnson; David Musacchio; Michael Wilmes (designee for David Nicholson); Ann Schiavone Dyke (designee for Mike O’Connell; Judge Mitch Perry; and Col. Josh Judah (designee for Chief Erika Shields).

Staff Present: Faith Augustine and Jamie Allen.

Guests Present: Matt Golden; Lauren Polston; Steve Durham; Mane Martirosyan; Judi Jennings; Chis West; Dr. Brian Schaefer; David Cutt; and Angela Bilewicz.

I. Welcome/Call to Order

Tom Wine called the meeting to order and welcomed members in attendance. He reminded members that the Jail Policy Committee provides a neutral forum for system stakeholders and citizen members to meet on a regular basis to discuss concerns related to the jail population. He reminded members that the committee is charged with using data to monitor the jail population; analyzing trends and identifying points of intervention; recommending changes in policy and practice to promote effective jail population management; and providing oversight of the implementation of the recommendations made by the committee. He called for member introductions.

II. Approval of the January 25, 2022 Meeting Summary

The summary of the January 25, 2022 meeting was unanimously approved as submitted.

III. Review of Jail Population Status – Dwayne Clark, Director

- a. COVID-19 – Steve Durham
- b. LMDC Population – Eric Troutman
- c. State Inmate Population – Eric Troutman

Tom called on Steve Durham to provide an update on COVID-19 in Metro Corrections. Steve reported that Metro Corrections has administered 11,568 tests and vaccinated over 2,000 individuals since the beginning of the pandemic. He stated that Metro Corrections has seen a decrease in COVID-19 cases in the jail. In the first week of 2022 there were six dorms on quarantine, 9 positive individuals, and 13 in medical isolation. In comparison to today he stated that there are no dorms on quarantine and no individuals on medical isolation. He recalled that the jail is still collaborating with Louisville

Metro Public Health and Wellness and are offering a vaccine clinic to individuals in the jail who need a vaccine or booster. He added that there have been no inmate deaths due to COVID-19 and one staff death.

Tom called on Eric Troutman to provide an update on the jail population. Eric reported that the Average Daily Population (ADP) for the Main Jail Complex is 1,462. He stated that this is an average for the year (January – current) and that the population is now in the low 1,300's due to the reduction efforts put in place. He reported that the Average Length of Stay (ALOS) is 31 days which is consistent with the data reported in 2021. The state inmate population is averaging 249 for 2022, but most recently has dropped to 137 because of the efforts of Commissioner Cookie Crews moving individuals out to a state bed. He advised that the state inmates over 45-days has dropped considerably and the number of individuals over 45-days has remained the same.

Judge Mitch Perry reported that last week he attended the annual statewide Circuit Judges College. He advised that while not every county in Kentucky is experiencing the same challenges as Jefferson County, he wanted the committee to know that conversations and discussions are being had statewide amongst the Circuit Judges. Specifically, out of county holds and inmate transfers being held in Jefferson County. Steve thanked Judge Perry, the Administrative Office of the Courts, the Jefferson County Attorney's Office, and the Office of the Commonwealth's Attorney for all of their efforts on the out-of-county warrants, Probation and Parole violations, and the backlog of sentenced individuals awaiting transport.

IV. Pretrial Services Update/Data **Angela Darcy, Executive Officer, Pretrial Services**

Tom called on Angela Darcy from Pretrial Services to present the most recent statewide and Jefferson County data. Angela thanked members for the opportunity to present the data and stated that data will be presented more regularly to the committee. She emphasized that pretrial suffered a substantial staffing loss in 2020 during the pandemic; however, staffing levels are getting better. She reported that statewide there was an uptick in arrests in 2021; noting 180,152 arrests in 2019, 132,769 in 2020 and 140,711 in 2021. She presented statewide snapshot data on the total pretrial interviews booked from March 19, 2022 at 6pm to the same time on March 20, 2022. The data shows a total of 326 came into custody and were interviewed. Of those individuals interviewed there were 28 holds, 123 in financial custody, 39 were not presented, 69 non-financial bonds, 2 release not offered, 30 administrative releases, 25 financial releases, and 11 non-financial releases.

Angela presented data on arrest rates. Of the 148,683 statewide arrests, 131,709 (89%) had no new arrests and 16,974 (11%) had new arrests. She reported that the percentage of individuals released statewide on administrative release went up over 5%. She attributed this to the delay in court appearances due to COVID-19 and individuals having a longer stretch of time to reoffend prior to their court dates.

Angela presented data specific to Jefferson County. She stated that snapshot data was collected of pretrial interviews booked from March 19, 2022 at 6pm to the same time on March 20, 2022. The data shows a total of 35 came into custody and were interviewed. Of those individuals interviewed there was one hold, 19 in financial custody, 4 were not presented, 10 non-financial bonds, and one release not offered. As for arrest rates, Angela reported that the arrest rate for 2021 compared to 2020 remained the same at 10%. Like the statewide data, the administrative release arrest rate has increased by 6% since 2020.

She presented data on the statewide text notifications from 4/16/18 to 12/31/21. She stated that AOC's technology team is working on a way to report data on the number of text messages that are successful and resulted in the appearance of the defendant to court. In response to a question from Judge Perry on text messages and if they are for all appearances or just pretrial, she stated she would verify and follow-up with him. Karen Faulkner followed up and advised that all her clients receive the notifications.

Angela reported that through SB 90, pretrial will be working with State Behavioral Health, Developmental and Intellectual Disabilities, making referrals to individuals who need access to behavioral health and substance abuse treatment. She added that they are looking for more pretrial service officers to work in Jefferson County. The position requires a bachelor's degree and the starting pay is \$14.55 an hour with no experience. She reported that the second and third shift will be working back in the pretrial office, but that there is not enough staff to return staff back into the jails.

V. Follow-up Items/Updates

- d. Data Dashboard – Jamie Allen
- e. Out of County Inmates/Proposal to Amend RCr 3.02
- f. The Bail Project – Leo Smith
- g. Day Reporting Center – Chris West

Tom called on Jamie Allen to provide an update on the jail population management data dashboard. Jamie presented the dashboard on the screen and stated that she is excited to preview the data for members of the committee. She recalled that in October 2021 a comprehensive set of data was presented to the committee to look at individual's status in the jail. These data included those who were sentenced to either state or county time, those held by Probation and Parole or another institution, and those who were pretrial. She stated that the data also included a review of the top charge groups, bond categories and those on a hold. Based on the feedback from the data presentation she stated that she worked with Metro Technology to automate the data presented into a dashboard platform using Power BI.

Jamie walked through the visualizations on the dashboard including the total population, a breakdown of the total population at each facility, and visualizations including data on race, gender, age, status, court status, bond, holds, and average days in custody. She provided an overview of how to filter the dashboard visualizations by using the left column of filter options. She also previewed how to click within each visual to filter the data. Jamie

reported that she created additional dashboard pages for the Jefferson County Attorney's Office, Office of the Commonwealth's Attorney, and Public Defenders Office to look at both District Court and Circuit Court low bonds. She noted that the low bond data is sent to each agency on Tuesday of each week to be reviewed.

In response to a question from Amy Hess, Jamie stated that the only data source is X-Jail and the data is received through an automatic push three times a day. Mane Martirosyan asked if the data can be exported with individual inmate names. Jamie stated that she is working with the Metro Technology security team to determine the permissions and protections required to be able to share the name data. She added that only authorized stakeholders who are granted access will be able to have access to name-specific data. Tom asked if the dashboard will be available for the public to access. Jamie stated that the overall goal is to first educate and provide the dashboard to members of the committee and other stakeholders such as the judiciary. She added that once the stakeholders have access to the dashboard, she will work with members of the committee and Metro Technology to determine what data the public will be able to access. She emphasized the need to ensure that permissions are in place to protect certain data and that public access will roll out slowly. In response to a question from Steve Durham, Jamie advised that a length of stay visualization could be added.

Tom asked Leo to share the most recent update on the out of county inmates and the proposal to amend RCr 3.02. Leo explained the rule change and advised that the proposal was sent to Justice Keller. He stated that the rules committee will consider the proposal and that Chief Justice Minton has created a working group to consider out-of-county inmates. Tom added that Chief Justice Minton is working with the Co-Chairs to identify solutions.

Leo provided an update on The Bail Project. He reported that in total there has been over 8 million dollars in bail posted for a total of 3,750 clients. He added that the clerk's office is currently holding \$4,362,000 in bail posted. As cases are dismissed, the bail money is returned to the Bail Project and the money is recycled to post more bonds.

Tom called on Chris West to provide an update on the Day Reporting Center. Chris advised that the DRC has been open for 11 years and works with participants on an individual and group level to change their behavior. He reported that over 80% of participants are employed and each client participates in 20 hours of community service. He noted that the DRC continues to work with community partners for mental health, substance abuse and employment; specifically, Goodwill Industries, the Urban League, Peace Hospital, New Leaf, and Seven Counties Services. Tom asked Chris to provide the cost analysis of an individual in the DRC program versus an in-custody bed in the jail, and Chris advised he will present that information at the next meeting. Judge Perry asked Chris about the capacity of the DRC program and he advised that ten years ago the program could hold 75 clients, but he is working to up the capacity to 85. Judge Perry commented that he recommends the DRC Program and that it is underutilized. He stated that he uses the program with defendants every chance he gets and frequently invites Chris to court hearings to talk about the program.

VI. Adjourn/Next Meeting

With no further business to discuss, the meeting was adjourned. Tom advised that the next meeting of the Jail Policy Committee is scheduled for Tuesday, May 24, 2022 at noon in the Crown Room.