

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

**Meeting Summary  
Tuesday, September 27, 2022**

**Members Present:** Beth McMahon (designee for Leo Smith), Co-Chair; Chief Jerry Collins; Haven Harrington Jr. (designee for Raoul Cunningham); Chris Klein (designee for Karen Faulkner); Amy Hess; Chief Judge Annette Karem; Daniel Johnson; David Musacchio; Kungu Njuguna; David Nicholson; Ann Schiavone Dyke (designee for Mike O’Connell); Angela Bilewicz (designee for Chief Judge Mitch Perry); John Rees; Lt. Col. Steve Healey (designee for Chief Erika Shields); Rev. David Snardon; and Marit DeLozier (designee for Tom Wine).

**Staff Present:** Faith Augustine and Jamie Allen.

**Guests Present:** Mane Martirosyan; Glenda Nelson; Ron Heady; Grace Kara, Dr. Mariya Leyderman; Andrea Huckleby, Carrie Cole, Meagan Kilkelly, Michael Wilmes; and Dudley Cotton.

**I. Welcome/Call to Order**

Beth McMahon, Deputy Chief Public Defender, called the meeting to order and welcomed members in attendance. She reported that Tom Wine and Leo Smith, Co-Chairs, were unable to attend the meeting and called for member introductions.

**II. Approval of the July 26, 2022 Meeting Summary**

The summary of the July 26, 2022 meeting was unanimously approved as submitted.

**III. Review of Jail Population Status – Jerry Collins, Chief**

- a. LMDC Population – Mane Martirosyan
- b. State Inmate Population – Mane Martirosyan
- c. CSH/KCPC Competency Evaluations Update
- d. COVID-19

Beth called on Mane Martirosyan from Metro Corrections to provide an update and review of the jail population. Mane reported that through the end of August there have been 11,805 admissions into Metro Corrections. She added that projections stand at 17,058 admissions through the end of the year. The average in-bed population is currently 1,399 and the average length of stay is 25 days. She reported that the average state inmate population is 199, the average controlled intake population is 135, and the average number of individuals being held by Probation and Parole is 68. Data through the end of August shows that the average number of state inmates over 45-days is 41 and under 45-days is 176. She added that 135 individuals were transferred to the Kentucky Department of Corrections in August.

Chief Collins advised that Metro Corrections continues to track Central State Hospital and Kentucky Central Psychiatric Center evaluations. He reported that four providers are coming onsite on Tuesdays and Thursdays for in-house evaluations to speed up the process. He provided an update on COVID-19 in the jail and reported that there are no positive cases. As a follow-up to the population report, Chris Klein, asked what the average time is from sentencing to a transfer to the Kentucky Department of Corrections. Chief Collins stated they are tracking only those who remain in custody over 45-days which is the statutory requirement. Faith Augustine asked what the current population is for in-custody and Mane stated it was 1,513 and has been steadily increasing over the last two months. Chief Collins added that he is meeting with Probation and Parole due to the increase in the inmate population.

#### **IV. Pretrial Services Report** **Angela Darcy, Executive Officer, Pretrial Services**

Due to unforeseen circumstances, Angela Darcy was unable to attend the meeting and the Pretrial Services Report was deferred to the next meeting. However, Beth stated that Amy Hess requested time on the agenda to update the committee on the summary of reviews and examinations of Metro Corrections and called on her to provide an update. Amy advised that more than 20 assessments have been conducted in the past 15 years, ranging from the Vision 20/20 Commission's report in 2008, the 2016 CGL Physical Jail Plant and Staffing Assessment, and the most recent review led by corrections professional and consultant Gary Raney earlier this year.

Amy stated that it has been helpful to look back at the reviews and identify common and reoccurring themes. The themes include collecting better data, improving the classification process, and working with the courts. She noted an attempt at a previous jail population management dashboard but due to challenges with the platform, Metro Technology was unable to sustain it. She stated that the assessments also focused on the significant issues of the facilities and that nearly all of the reports identified deficiencies caused by poor building design and facility conditions.

Amy highlighted the most recent review conducted by Gary Raney. The review resulted in 40 recommendations in eight categories including facility; life safety practices; contraband; objective inmate classification; culture and leadership; management; staffing and resource allocation; and healthcare practices. Other jail reviews included internal audits and understanding the hidden cost of pretrial detention. Ron Heady followed up and stated that when Director Collins was hired as the new Chief, he hit the ground running and began working on the recommendations with his administration. He reported that 50% of the recommendations in the report are complete and 100% are in process.

Chief Collins added that another report will be coming out related to Metro Corrections technology and staffing. He reported on the lateral program that was created and stated that by the end of the year there will be 45 people in the academy, which includes a part-time transport team of former retired officers. He advised that an officer has been

assigned to the staff at the Bail Project so that individuals who are provided services and bail through their team will be afforded the ability to develop a supportive plan with them prior to release. He added that Pretrial Services staff have moved back into the jail to provide on-site pretrial assessment and services. In closing he stated that he supports the construction of a new jail that will fix all of the reoccurring deficiencies; however, until that time comes, he has to operate from the resources and jail design that he has right now.

## **V. Follow-up Items/Updates**

- a. Legislative Proposal – Beth McMahon
- b. Jail Population Management Dashboard – Jamie Allen
- c. Day Reporting Center – Chris West

Beth recalled that the Criminal Justice Commission’s Legislative Committee reconvened on September 14th in preparation for the 2023 session of the Kentucky General Assembly. The Committee is seeking input and recommendations for legislative proposals, including new laws or revisions to existing statutes. She reminded members that the Jail Policy Committee recommended a proposal in 2018 and 2021 to permit police officer discretion to cite versus arrest for bench warrants on low-level charges, and the proposal was unanimously approved by the Legislative Committee.

Beth stated that there are extensive resources used by the Metro Corrections to book individuals with an outstanding bench warrant for a low-level charge and that it costs about \$300 to book an individual in jail. Data shows that many bookings include bench warrants and individuals with low level warrants are eligible for release if they meet the criteria included in the Pretrial Services Administrative Release Bench Warrant Protocol. She added that Metro Corrections supports this proposal and that the Cincinnati police have this discretion. Beth opened the meeting up for member comments and discussion.

Judge Annette Karem stated that the proposal is a great idea, but exceptions should be added; specifically, for those repeat offenders that do not come back to court after a redocket. She suggested that they be flagged as a way to inform officers. Kungu Njuguna reported that the ACLU will support the proposal and Lt. Col. Steve Healey said it’s a good idea, but he is concerned with the liability on the police department. Faith Augustine reiterated that the proposal covers only those who would be released through the current Administrative Protocol. Judge Karem requested to see the specific language that will be voted on, and Beth stated that it is proposed as a concept. David stated historically Jefferson county has been successful in citing and releasing individuals and that the conversation is pressing in Frankfort. He emphasized that law enforcement is asking for a change; however, the current statute states “shall” arrest and their hands are tied.

Judge Karam noted that she is not comfortable with a sweeping statement and that there must be some acknowledgment on exceptions. The proposal was amended to permit peace officer discretion to cite versus arrest for bench warrants on low-level charges

excluding those who repeatedly fail to appear for court dates. With no further discussion Beth called for a vote. The vote on the amended proposal was unanimous.

Beth called on Jamie Allen to provide an update on the jail population management dashboard. Jamie reminded members that the dashboard will provide a visual breakdown and daily snapshot analysis of the Metro Corrections population in near real-time. Once members are given access to view the dashboard, she stated that the goal is to use the data to enhance decision making by the Jail Policy Committee, other system stakeholders and the community. She added that the dashboard will inform trends associated with arrest, pretrial detention, bond decisions, sentencing practices, length of stay, and overall capacity utilization.

Jamie reminded members of the committee that the dashboard had been assigned to the Metro Enterprise Gateway and was awaiting security testing. She reported that the security testing is complete and passed inspection. She reported that the dashboard was made available to a team of internal Metro users to test but has encountered delays in permissions testing for external users. At this time, only individuals with a Metro Government email address can access the dashboard and the CJC is awaiting a permissions-based model to share with our external (non-Metro) stakeholders.

Kunga asked Jamie about the low-bond reports on the dashboard and why they will not be released to community as a part of the dashboard. Jamie stated that the Jefferson County Attorney's Office was consulted; however, they did not indicate that it can't be shared. She noted that due to Criminal Justice Information System (CJIS) guidelines, Metro Information Technology Security provided oversight into what data fields would be made available to users of the dashboard.

Due to staffing shortages at the Day Reporting Center, Beth reported that Chris West was unable to attend the meeting. The DRC update will be deferred until the next meeting.

## **VI. Adjourn/Next Meeting**

With no further business to discuss, the meeting was adjourned. Beth advised that the next meeting of the Jail Policy Committee is scheduled for Tuesday, November 15, 2022 at noon in the Crown Room.