

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

**Meeting Summary  
Tuesday, September 25, 2018**

**Members Present:** Dan Goyette, Co-Chair; Tom Wine, Co-Chair; Councilman Brent Ackerson; Mark Bolton; Tara Boh Blair; Saulette Davis; Tracy Dotson; Chief Judge Anne Haynie; Angela Bilewicz (designee for Chief Judge Brian Edwards); Karen Faulkner (designee for Julie Kaelin); Carla Kreitman; Mike O'Connell; Dan Fountain; David Musacchio; Brad Garpetti (designee for David Nicholson); and Jessie Halladay (designee for Chief Steve Conrad).

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

**Guests Present:** Ingrid Geiser; Samantha Ravenscroft; Doug Hamilton; Judge Sean Delahanty; Chris West; Steve Durham; Leo Smith; Karen Collins; Eric Troutman; Don Griffin; Dr. Brian Schaefer; Martin Baker; Mary Greer; Amy Hannah; Michael Wilmes; Kathy Clark; Lucinda Kipper; B. Scott West; Mane` Martirosyan; Mridnla Shrestha; Arpine Sargsyan; Arman Aleksanyan; Mkhitar Papoyan; Tamara Baghdasaryan, Karen Bisharyan and Rubik Mkhitaryan.

**I. Welcome/Call to Order**

Tom Wine called the meeting to order and welcomed those in attendance. Members and guests introduced themselves. Tom gave a special welcome to a team of fellows from Armenia participating in the Criminal Justice Collaboration and Partnership (CJ-CAP) Program sponsored by the American Bar Association Rule of Law Initiative's. The fellows are working together to reform the pretrial detention system in Armenia.

**II. Approval of the August 28, 2018 Meeting Summary**

The summary of the August 28, 2018 meeting was unanimously approved as submitted.

**III. Booking Cost Center – Mark Bolton/Eric Troutman**

Mark Bolton reminded members that at the August meeting he presented a brief overview of how LMDC calculates the cost to book an inmate into the jail. Eric explained that the average time it takes to book an inmate into the jail is about 39 minutes. The average time was calculated by tracking the amount of time spent at each of the stages of the booking process. The average time assumes there are no issues that arise during the process. Eric described the staffing costs associated with booking an inmate and noted that there are about 13 LMDC personnel that are involved with an inmate during the booking process. The staffing cost for an average 39-minute booking is \$253.11. In addition to staffing cost, he noted that there are operational costs

involved with each booking at a cost of \$46.30, therefore the total LMDC cost for an average 39-minute inmate booking into the jail is \$299.41. Eric reported that in order to maintain the American Correctional Association accreditation all inmates booked into the jail must be processed through each step. In response to a question from Councilman Ackerson, Mark Bolton explained the benefits of maintaining accreditation including minimizing associated security risks and impact to bond ratings. In response to a question from Tom Wine, Eric noted that the arresting officer is cleared to leave once LMDC takes physical custody of the inmate.

In response to a question from Karen Faulkner, Eric responded that the average booking time only includes the amount of time it takes for LMDC staff to complete the work and does not include any wait time that an inmate may have from station to station. He noted that release processes are occurring at the same time. Director Bolton raised the question to members about the cost effectiveness of booking an inmate on a low-level warrant with a \$100 bond. In response to a question from Tracy Dotson related to alternatives to booking procedures, Director Bolton reported that other jurisdictions including Davidson County, Tennessee use a quick book process at a non-jail facility to book, fingerprint, and release inmates. Mark suggested that members of the Jail Policy Committee take a field trip to Davidson County, Tennessee to see the passive booking process. Mike O'Connell asked Director Bolton how many bookings are for a bench warrant with a \$100 bond and cautioned about using the example of \$100 bench warrant without having real data to report. Steve Durham explained the process that LMDC uses to review bookings each week and noted that approximately 35 bench warrants for non-criminal or traffic offenses are booked each week.

Mr. O'Connell reminded members that stakeholders across the system are working diligently everyday to manage the jail population, and that it would be helpful to have data on the actual number of bookings related to a bench warrant. Councilman Ackerson noted that it costs the jail approximately \$500,000 a year to book 35 individuals each week for a bench warrant. Mr. O'Connell advised that his office does not have a policy to request a bench warrant with a \$500 bond for individuals that fail to appear for a traffic case and asked Ingrid to explain the process. Ingrid reported that prosecutors have discretion regarding handling traffic cases, and that the general practice is to request a bench warrant with a \$100 bond for individuals with a "no insurance/no accident" charge. For offenses that include "no insurance" but are the result of a traffic accident with damages and a victim, prosecutors generally request a bench warrant with a bond of \$500 to \$1,000. She noted that she believes that there is an overall sense in the community that defendants don't have to attend court, and they can request the case to be re-docketed. She explained that Arraignment Court data shows that 81% of the cases that Amelia is handling are for low-level cases arrested for a bench warrant. Judge Delahanty noted that it would be helpful if the County Attorney would make it a policy that "no insurance/no accident" cases would be eligible for a bench warrant with a \$100 bond. Mr. O'Connell reminded Judge Delahanty that the Court is not responsible for setting policy of the County Attorney's Office. Director Bolton reminded members that LMDC presented the booking cost center information to generate discussion related to the booking practices and encouraged members to look

at pre-booking models and best practices in other jurisdictions. Tara Blair reminded members that Pretrial Services is administratively releasing low-level bench warrants within three to four hours of booking.

Mr. O'Connell asked the committee if someone does not appear in Court to identify other alternatives than a bench warrant. Judge Delahanty noted that Judge Haynie and Judge Wilcox are issuing court summons and asked Judge Haynie to explain the process. Judge Haynie explained that for traffic offenses a progressive approach is used involving sending a DOT letter and if they fail to appear again then a criminal summons is issued. Tom Wine asked if the model could be implemented across the entire District Court Term. Ingrid Geiser explained that a DOT letter is already being used for traffic charges. Judge Delahanty noted that he thought the District Court Term could support the progressive approach.

#### **IV. Committee Follow-up items**

##### **a. The Bail Project – Dan Goyette**

Dan reminded members that The Bail Project began in mid-May and has been fully operational for about four months. He introduced Amy Hannah to provide an update on The Bail Project. Amy reported that to date that there have been 383 referrals received, and 280 interviews conducted. She noted that 215 defendants have been bailed out of jail by The Bail Project, and that data shows a 87% return rate for defendants released from jail. Eighteen of the 215 individuals bailed out were homeless and 94% returned to court as scheduled. A total of 28 individuals were bailed out who did not return to court or redocket their case. To date, \$300,000 has been spent on posting bail, and \$70,000 was returned to The Bail Project. Of the defendants released, she noted that 12 defendants were released to drug treatment, and three defendants were released to the hospital. Amy added that most cases were completed within four court dates after release, and that a majority of defendants who resolved their case with a guilty plea did so to an amended charge.

##### **b. Felony MCR Pilot – Tara Blair/Samantha Ravenscroft**

Tara Blair introduced Samantha Ravenscroft and reminded members that Pretrial Services will begin piloting an enhanced Monitored Conditional Release program for felony offenders that are held pretrial in jail on a Circuit Court case. Samantha is in process of researching community services available for those charged with felony offenses. She will be conducting a needs assessment on each individual, and work with the defendant to link them to services in the community and to ensure they return to court as scheduled. Defendants will be placed in the pilot program by agreement between the prosecutor and public defender. Tom invited Samantha to present additional information related to the pilot program to prosecutors, and she agreed to contact him to schedule the presentation. Tara emphasized that the pilot will not duplicate other program options, and if successful in Jefferson County can be replicated across the state.

c. District Court Case Flow and Calendaring Study – Judge Anne Haynie

Judge Haynie noted that the National Center for State Courts is onsite today and tomorrow to meet with the District Court Judges and other justice partners.

d. Bench Warrant Amnesty/Purge Initiative – Judge Anne Haynie

Judge Haynie reported that the priority at this point is to purge warrants that are five years or older. She asked Ingrid Geiser to provide an update on the UOR code list, and Ingrid reported that the County Attorney's office created a list of 30 to 40 UOR codes that they would agree to purge. She noted that most of the UOR codes are for low level or traffic charges. The list of eligible UOR codes was provided to the Circuit Court Clerks Office so they can begin creating the master list of outstanding bench warrants with an original charge from the eligible UOR code list that is five years or older. Members estimate that the list could include as many as 10,000 warrants eligible to purge.

e. Arraignment Court Update – Ingrid Geiser

Ingrid Geiser reported that from August 1, 2017 through September 14, 2018 there have been 2,027 cases resolved in Arraignment Court involving 1,338 defendants. Of the 2,027 cases, 1,661 or 82% of them involved a bench warrant. She estimated that 1,762 jail bed days were saved which is a conservative estimate. She noted that staff is trying to expand the program and have started to ROR defendants if they agree to meet with a jail social worker prior to release. Of the 14 defendants that were ROR, only two have returned to court as scheduled. Mane` Martirosyan reported that she believes that the defendant doesn't understand the agreement because most defendants report to the social worker that they are being released from jail and therefore are not in need of any assistance.

f. Committee Priorities for Action (July- December 2018)

Tom reminded members that the Action Plan is in the meeting packet, and asked members to review and provide any revisions or additions to staff.

**V. Adjourn/Next Meeting**

Tom thanked members for attending. The next meeting is scheduled for Tuesday, October 30, 2018 from 12:00 p.m. – 1:00 p.m. With no further business to discuss, the meeting was adjourned.