

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

**Meeting Summary  
Tuesday, November 19, 2019**

**Members Present:** Tom Wine, Co-Chair; Leo Smith, Co-Chair; Eric Troutman; Tara Boh Blair; Angela Bilewicz (designee for Chief Judge Brian Edwards); Carla Kreitman; Mike O’Connell; Daniel Fountain; Karen Faulkner; David Musacchio; David Nicholson; and Jessie Halladay (designee for Chief Steve Conrad).

**Staff Present:** Faith Augustine, Jamie Allen and Miranda Deaton.

**Guests Present:** Michael Wilmes; Erwin Roberts; Chris West; Dawn Thompson; Emil Estes; Steve Durham; Mane` Martirosyan; Ingrid Geiser; and Dr. Tad Hughes.

**I. Welcome/Call to Order**

Leo Smith called the meeting to order and welcomed those in attendance. Members and guests introduced themselves.

**II. Approval of the July 30, 2019 Meeting Summary**

The summary of the July 30, 2019 meeting was unanimously approved as submitted.

**III. Pretrial Updates – Tara Boh Blair**

- a. Pretrial Release/Administrative Release/Bench Warrant Administrative Release
- b. Court Notification Implementation Data
- c. Pretrial Services Snapshot

Leo introduced Tara Blair and asked her to provide updates on several items related to Pretrial Services. Tara began by reporting that Stephanie Reio will be assigned as the Jefferson County Pretrial Supervisor in an interim capacity until the two supervisor vacancies are filled. She called attention to the report in the packet entitled, “Kentucky Pretrial Population,” noting that it includes statewide pretrial findings from a one-day snapshot on November 1, 2018. She stated that information was gathered to examine the jail population characteristics including holds, charges and risk levels. While both a statewide and county jail analysis was conducted, findings show that 30% of the pretrial population have holds making those defendants ineligible for pretrial release. Types of holds in the analysis include State and County sentences, Parole holds, District and Circuit Court Probation holds, Contempt, Federal holds, and Fugitive.

Tara called attention to three additional data reports in the packet on Administrative Release, Court Notification and Risk Level. She reported that since January 1, 2017, there have been 9,424 individuals released on the Administrative Release Protocol. She reminded members that the Supreme Court approved the Bench Warrant Administrative Release Protocol on August 1, 2017 and explained that defendants with an FTA warrant that meet the criteria are administratively released with court reminders the first time. Since the launch of the Bench Warrant Administrative Release Protocol 59,787 individuals have been arrested on a bench warrant in which 3,312 (5.2%) have been released through the protocol. She noted that the court should consider expanding the administrative release criteria to include defendants with two FTA's, and release with conditions since that is the majority of bench warrants coming into jail.

Tara reported that the Court Notification System was rolled out in April 2018 for defendants that are arrested and released. Defendants receive a text notification two days before the scheduled court date, and then again, the day before the hearing. She reviewed the data included in the handout and reported that the system does not have a tracking component to track FTA rates. Following discussion, it was reported that the court notifications are being utilized through the District Court Pilot Project and in Judge Angela Bisig's court. Carla Kreitman stated that the notifications will roll out to the jury pool soon.

Tara called attention to the Risk Level Breakdown and In Custody Hold chart. The data snapshot captured last week indicates that 1,183 (76%) defendants in Jefferson County do not have a hold and are in custody solely for a pretrial matter. Risk level breakdown captured on the same data set concluded that 501 (38%) defendants were high risk while 538 (40%) were moderate risk. She further stated that while 70% of the Jefferson County population is pretrial, only 27% of the remaining statewide jail population is pretrial. This is due to county jails across the state housing defendants sentenced to prison time mostly on low level Class D offenses. Tom Wine mentioned that he attended a meeting of the Kentucky Association of Counties last week and the discussion included the need to build larger state facilities to hold state inmates. Because of this, many jails across the state are overpopulated; however, Tara stated that pretrial defendants are not driving the overpopulation. She further stated that due to the low number of pretrial defendants in these counties, Pretrial Services is moving to remote/telephone interview coverage. Mike O'Connell noted that disparate sentencing across the state impacts the prison population.

#### **IV. Review of Jail Population Status – Eric Troutman, Chief of Staff**

- a. LMDC Population Count
- b. State Inmate Population Update
- c. MAT Planning Initiative

Leo introduced Eric Troutman and asked him to provide a brief update on the status of the jail population. Eric directed attention to a chart entitled "Admissions by Year" and reported that admissions in 2019 are trending down. Data from January 1, 2019 – October 31, 2019 shows 23,712 total admissions with an average daily population of 1,834 and an average length of stay of 23 days. He reported that the projected admissions

for 2019 is 28,454 which is down from 32,708 in 2018. In response to a question regarding the declining admissions Eric stated that while data has not been analyzed, he anecdotally has seen fewer arrests for lesser offenses. Tara reported that pretrial data indicates a 400-500 monthly decline in bookings since April of this year. Jessie Halliday reported that the new LMPD Traffic Stops Policy was announced in May and that some of the decline is likely due to a reduction in self-initiated activity by police. She stated that since police have been trained on the new policy, recent data is showing a slight increase in self-initiated activity. Jessie suggested that Metro Corrections and LMPD share arrest data for comparison. In response to a question from Tom Wine, Jessie noted that calls for service have not increased as a result of self-initiated activity declining. However, Jessie noted that violent crime did increase therefore self-initiated activity does impact violent crime.

Eric reported that LMDC has been below capacity 37 times in 2019, and today's population count is 1,793. He reminded members that a one day increase in ALS equals 88 inmates. Eric directed members attention to a chart entitled "Average Total State Inmate Population 2013 – 2019." He reported that the average number of state inmates in the jail awaiting transfer in 2017 was 346, in 2018 decreased to 300 and in 2019 decreased to 274. So far in 2019, the average daily population of controlled intake inmates is 181 and 93 for Probation and Parole state inmates. Eric advised that LMDC transfers about 30 to 40 state inmates each week but there is an overrepresentation of female state inmates in jail due to the Kentucky Correctional Institute for Women being at capacity. Kentucky DOC is at 119% capacity. In response to a question from Karen Faulkner, Steve reminded members of the audit conducted by the Office of Internal Audit. He noted that LMDC receives a court order about 155,000 times a year and explained the cumbersome process that the orders are processed. He noted that unfortunately delays occur, and LMDC and the Clerk's office troubleshoot issues as quickly as possible. He noted that often what is said in court is not transcribed on the order, and LMDC tries to eliminate confusion of the paper orders by working with AOC through the process. Due to time constraints, Leo Smith suggested adding the item on the next agenda for further discussion.

Leo called on Steve Durham to provide an update on the MAT Planning Initiative. Steve reported that Louisville was selected by the Bureau of Justice Assistance, Comprehensive Opioid Abuse Program to participate in 9-month technical assistance initiative "Building Bridges Project" that aims to expand the current continuum of care model for individuals in jail with Opioid Use Disorder. He stated that requirements to participate in the project included initiating at least two of the three FDA approved forms of MAT (methadone, buprenorphine, naltrexone) in jail and building out a seamless continuity of care for those individuals being released back into the community. The local team assigned to the project was paired up with a national expert, Dr. Margarita Pereyda from Los Angeles County Jail, to help guide the work and assist in the development of an action plan to move the work forward.

Steve informed members that the planning team will focus efforts on continuing individuals who were already on methadone or buprenorphine prior to arrest and

providing maintenance doses of the medication while in-custody. Currently these individuals are detoxed off these medications. Data in 2018 collected at the jail indicates that 324 individuals self-reported being prescribed methadone and over 700 prescribed suboxone prior to arrest. He stated that the team is in process of working to operationalize the work to expand MAT and is working with their assigned coach on a monthly basis to provide project updates. In addition to the technical assistance, he reported that Louisville Metro Public Health and Wellness recently received funding from the Kentucky Opioid Response Effort to expand MAT services at the MORE Center to include buprenorphine (suboxone). The grant will allow The MORE Center to move to a larger location and hire additional counselors/staff. The MAT Planning team is working to align the technical assistance work with the KORE grant and will continue to provide updates to members on the project. Due to time limitations, Steve indicated that staff will send a link to a video to members and allow time at the January meeting to view it in its entirety.

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

### **a. The Bail Project – Leo Smith**

Due to the most recent data not being immediately available for The Bail Project, Leo will update members at the next meeting in January.

### **b. PARTS/Felony MCR Pilot – Samantha Ravenscroft**

Samantha Ravenscroft was unable to attend the meeting and will report out on the PARTS/Felony MCR Pilot at the next meeting in January.

### **c. Arraignment Court Update – Ingrid Geiser**

Ingrid Geiser reported that as of November 15, 2019 there have been 3,890 cases resolved in Arraignment Court involving 2,519 defendants. She estimated that 3,608 jail bed days were saved which is a conservative estimate (1 day each or 2 days if ROR on weekend or holiday). She stated that since the Living Room closure, the arraignment court prosecutor has been referring defendants to the Senior Social Worker at LMDC for Discharge Planning.

### **d. HIP Pilot – Steve Durham**

Steve reminded members that the HIP Work Group was charged with developing a risk-based approach to supervision under the Home Incarceration Program and a sanctions grid to determine how to manage program violations. He reminded members that the pilot was implemented in November 2018 with the Day Reporting Center participants and is in process of being scaled out further. He introduced Captain Dawn Thompson to explain the process. Captain Thompson advised that the HIP population turns over frequently, but HIP participants will be asked to sign a release allowing HIP staff to access the Pretrial Services risk assessment score in order to assign participants to the appropriate supervision level. The consent form will be signed when they report to

HIP, and when the risk level is provided by Pretrial the participant will be assigned a supervision level. She reminded members that participants with DV and other violent charges will be supervised as high risk.

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

Leo thanked members for attending. The next meeting is scheduled for Tuesday, January 28, 2019 from 12:00 – 1:00 p.m. With no further business to discuss, the meeting was adjourned.