

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

**Meeting Summary
Tuesday, May 31, 2022**

Members Present: Leo Smith and Thomas B. Wine, Co-Chairs; Chief Jerry Collins, Saulette Davis, Angela Darcy; Karen Faulkner; Amy Hess; Judge Annette Karem; Daniel Johnson; David Musacchio; Kungu Njuguna, Kevin Smalley (designee for David Nicholson); Ann Schiavone Dyke (designee for Mike O'Connell); Lt. Col. Steve Healey (designee for Chief Erika Shields).

Staff Present: Faith Augustine and Jamie Allen.

Guests Present: Matt Golden; Chis West, Michael Wilmes, David Heacock, David Cutt, Ron Heady, Steve Mershon, William Renealy, Angela McCoy, Ben Goldman, and Dudley Cotton.

I. Welcome/Call to Order

Leo Smith called the meeting to order and welcomed members in attendance. He called for member introductions.

II. Approval of the March 22, 2022 Meeting Summary

The summary of the March 22, 2022 meeting was unanimously approved as submitted.

III. New member introductions

Leo announced that there are several new members participating on the Jail Policy Committee. He introduced Jerry Collins, Chief of Metro Corrections; Lt. Col Steve Healey, Louisville Metro Police Department who is replacing Lt. Col Josh Judah; and Kunga Njuguna, ACLU. He advised that the Executive Committee met and that three member slots were reallocated to community organizations in an effort to expand citizen representation on the Jail Policy Committee. Representatives from the Louisville Branch NAACP, Louisville Urban League, Interdenominational Ministerial Coalition and the ACLU have been invited to participate. The slots that were reallocated to community organizations include: Louisville Metro Facilities Department, Metro Council, and the River City FOP Lodge 614. He noted that representatives may still attend meetings but will no longer be voting members. The slots were originally added in 2018 as a result of an amendment in the FY 19 Metro Operating Budget that is no longer binding.

IV. Review of Jail Population Status – Jerry Collins, Chief

- a. LMDC Population
- b. State Inmate Population

- c. CSH/KCPC Competency Evaluations Update
- d. COVID-19 – David Heacock, Chief of Staff

Leo called on Chief Collins to provide a review of the jail population. Chief Collins thanked members of the committee for meeting on a regular basis to discuss ideas and solutions to reduce the jail population. He stated that he and his administration look forward to working with stakeholders and community organizations on this effort. He reported that through the third week of May there have been 5,872 admissions into Metro Corrections and projections stand at 17,058 admissions through the end of the year. The average in-bed population is currently 1,405 and the average length of stay is 31 days. He reported that the average state inmate population is 196, a significant reduction from the previous year. He reported that the average controlled intake population is 140 and the average number of individuals being held by Probation and Parole is 63. Data through the end of April shows that the average number of state inmates over 45-days is 23 and under 45-days is 132. He added that 578 individuals have been transferred to the Kentucky Department of Corrections so far this year. As a follow-up to the data, Tom Wine stated that there is a benefit to the average length of stay increasing and that is because individuals are being held on more serious charges. He also added that the individuals awaiting transport to the state is among the lowest number the committee has seen.

Chief Collins advised that Metro Corrections is currently holding 40 individuals awaiting a Central State Hospital or Kentucky Central Psychiatric Center evaluation. He advised that twelve of those will be scheduled for in-house evaluations to speed up the process. He provided an update on COVID-19 in the jail and reported that there are two individuals who are positive and in medical isolation.

V. Pretrial Services Report

Angela Darcy, Executive Officer, Pretrial Services

Leo called on Angela Darcy from Pretrial Services to present the most recent Pretrial Services report. Angela began with a follow-up from the March meeting related to text notifications. She stated that only those individuals who are assigned to the Monitored Conditional Release (MCR) program or those individuals arrested, booked and interviewed by pretrial are signed up for text notifications. She stated that she is working on ways to expand the text notification service by utilizing law enforcement as a way to capture the cell phone number. She is in the very early stages of the expanded project and will need to determine if there will be a cost to expand and the capacity of law enforcement to collect cell phone numbers during an interaction with police where a citation is filled out. She reported that there is a large number of people who use burner phones and for those individuals the error rate to send the text notification is high. Judge Annette Karem stated that in early 2020 the District Court Judges started collecting phone numbers at the bench and case managers were adding the number into the system to generate text messages. Matt Golden thanked Angela and Laurie Dudgeon for their continued partnership and added that it would be helpful to connect with the police to see what cellphone information can be collected on the front end to increase the opportunity

for text notifications.

Angela shared data provided from the Pretrial Information Management System and brought attention to a data chart entitled “Comparison of Non-Financial/Administrative Release and Failure to Appear Warrants” in Jefferson County from January 1, 2014 to March 31, 2022. She recalled that in early 2017, the Supreme Court authorized the use of administrative release statewide. Due to the initial COVID-19 closures and the restrictions put in place, the 2020 quarter two data shows a significant drop in failure to appear warrants; however, in quarter three when the execution of bench warrants were permitted to resume, Jefferson county saw a dip when every other county across Kentucky saw an increase.

Angela reported that she is working on adjusting the Pretrial Services schedule. She is in process of switching most of the third shift staff to first shift; however, a few staff will remain to process administrative releases. With the adjustment in staff to first shift, it will allow the movement of pretrial staff back into the larger jails, including in Jefferson County, within the next few months.

VI. Follow-up Items/Updates

- a. Data Dashboard – Jamie Allen
- b. Out of County Inmates/Proposal to Amend RCr 3.02 – Leo Smith/Tom Wine
- c. The Bail Project – Leo Smith
- d. Day Reporting Center – Chris West
- e. District Court Amnesty Docket – Ann Schiavone Dyke

Leo 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 at the last meeting there were several follow-up items that have been completed including adding percentage totals to the highest charge and bond visualizations. Another follow-up included adding a visualization to show current length of stay and the number of individuals assigned within each category. She provided an update on her conversation with Metro Technology as to the next steps to deploy the dashboard to approved users. She stated that in October 2021, Metro Technology requested an enterprise gateway for the BI Platform so that they could better understand the controls necessary for sharing dashboards to both internal and external users. Since then, they have stood up one service license for one Metro department. They are using the development of that departments dashboard as a test to ensure the security, stability and chain of custody of all the data being collected and shared. She stated that while it has been slow to progress, Metro Technology reports having a good footing established and will deploy the Jail Population Management Dashboard as soon as the testing is finalized. Amy Hess asked if the dashboard will be available to the public and Jamie stated that the first deliverable is to make the dashboard available to approved stakeholders who can test the data. Once approved stakeholders have tested the dashboard environment, then internal discussions will take place with the Jail Policy Co-Chairs and Chief Collins about what data is approved to be made available to the public. Amy asked if users will be able to drill down

into the visualizations to see inmate name and other identifiers and Jamie stated that none of the visualizations on the main dashboard allow for users to drill into the data.

Leo shared the most recent update on the out of county inmates and the proposal to amend RCr 3.02. He explained that the Co-Chairs sent a proposal to amend subsection 1 of RCr 3.02 to Justice Keller, Kentucky Supreme Court. Leo advised that he was informed that the proposal would be considered by the Criminal Rules Committee, although the committee has not met. The proposed amendment will give our local judges more authority to hear the cases. Leo reported that since it's a statewide issue, Chief Justice Minton created a Notification Improvement Process Work Group to address out-of-county inmates, and two subgroups were formed. At tomorrow's meeting, several proposals will be reviewed by the Work Group. Tom noted that he had heard that the proposal is now to strike the entire rule. Tom shared that the proposal submitted led to heated discussions and often times it was said that it is a Jefferson County problem. Leo and Tom agreed to provide an update on the proposed amendment and the Work Group at the next meeting.

Leo provided an update on The Bail Project. He reported that there are currently 1,040 active cases where bail was posted and as of May 23rd the clerk's office is holding \$4,565,593 belonging to The Bail Project. Since the beginning of the project, there has been over 8 million dollars in bail posted for over 2,800 cases. He stated that the overall goal is for The Bail Project to put itself out of business and the legislature to pass bail reform.

Leo called on Chris West to provide an update on the Day Reporting Center. Chris reported that he was unable to have the information ready for the follow-up item requested at the March meeting to look at bed days saved and the amount of money the city has saved through opening the Day Reporting Center. He is working with the Metro Corrections administration on the average cost per day of a jail bed and should have the report available at the next meeting.

Chris reported that the DRC population is 47 and that the program has successfully completed 5 individuals within the last three weeks. He stated that the DRC is seeing a much younger population of individuals coming into the program and that working with those under 30 years of age is more challenging in that many of them are not ready for change. He stated that his staff are using different strategies to engage the younger clients through mentoring and providing positive influence. He thanked Chief Collins for his leadership and being engaged with the DRC staff and clients. He stated that one of the ideas from Metro Corrections administration is to begin generating success stories to share about the program. He added that he is working on a document to highlight successful clients and will share it at the next meeting.

Leo called on Ann Dyke to provide an update on the amnesty dockets. Ann reported that three amnesty dockets have been scheduled on June 7th, 8th and 9th at 1pm in Courtroom 204. She thanked all of the partners including the Jefferson County Attorney's Office, Chief Judge Karem, the Office of the Commonwealth's Attorney, Court Administrators

Office, Public Defenders Office, Private Bar, Jefferson County Sheriff's Office, and the Office of the Circuit Court Clerk for coming together to plan the dockets. She stated that initially the JCAO identified agreed upon UOR codes in which bench warrants were issued but could be set aside and the cases purged. Out of this initiative over twelve thousand cases were purged.

Ann reported that the next step included the JCAO agreeing to host an amnesty docket for individuals who have warrants for low level misdemeanor and some Class D cases that were non-violent, non-sexual and were not domestic violence-related to come to court without fear of arrest to resolve the case. She reported that those who are interested can sign up by going to the JCAO website, scanning a QR code on signs posted in the courthouse and by picking up a form at the Hall of Justice. A supervisor at the JCAO reviews each case to determine eligibility and notifies the individual if their case qualifies. She reported that all three of the amnesty dockets have been filled and that the website is no longer accepting applications. She emphasized that if this initiative shows to be successful, they will do more in the future. Judge Karem added that the partners will debrief after the dockets are complete to see how well the initiative worked. She stated that amnesty dockets have been tried before with only 50% of individuals showing up. She stated that it is a great community service and is hopeful for a good turnout. Kunga Njuguna with the ACLU reported that their website had over six thousand hits on the amnesty initiative and that staff were all over the county this past weekend to put up flyers. He asked if the applications that are not accepted due to the dockets being full are being tracked and Ann stated that she didn't know how they would track them but will find out.

VII. 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, July 26, 2022 at noon in the Crown Room.