

**LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION
MEETING SUMMARY**

Wednesday, June 22, 2016

Members Present: Judge David Bowles, Chair; D. Scott Furkin, Vice-Chair; Lt. Col. Carl Yates (designee for Sheriff John Aubrey); Rashaad Abdur-Rahman; Kathy Bingham; Mark Bolton; Jim Cabral; Major Endora Davis (designee for Yvette Gentry); Chief Steve Conrad; Jay Davidson; Dan Fountain; Leo Smith (designee for Dan Goyette); Ellen Hesen; Carla Kreitman; Libby Mills; David Nicholson; J.P. Ward (designee for Mike O'Connell); Judge Paula Sherlock; and Tom Wine.

Guests Present: Matthew Glowicki; Erwin Roberts; Patricia Triplett; Dan Gillespie; Major Barry Wilkerson; Lt. Eric Johnson; and Ursula Mullins.

Staff Present: Kim Allen, Jamie Allen, Faith Augustine, and Maria Gurren.

I. Welcome/Call to Order

Judge David Bowles, Chair, called the meeting to order and welcomed those in attendance. Members were asked to introduce themselves.

II. Approval of the April 21, 2016 Meeting Summary

The April 21, 2016 meeting summary was unanimously approved as submitted.

III. Chair Report

Judge Bowles reported that the MCJC Annual Stakeholder Survey will be distributed in the next few weeks. The instrument questions were revised to ensure usable input and differentiate by user/participant groups. Staff is in process of scheduling a meeting of the MCJC Executive Committee to review the draft survey instrument prior to distribution. The Executive Committee will also review and prepare a recommended draft of annual strategic priorities to be presented at the August meeting.

Judge Bowles reported that in preparation for reconvening the Legislative Committee, staff will send out an email to seek input and recommendations for legislative proposals, including new laws or revisions to existing statutes, for the 2017 legislative session. He also noted that the Criminal Justice Commission FY17 Budget hearing was held on Thursday, June 16th and materials provided to the Council members are included in the meeting packet along with the May/June Staff Activity Report.

IV. Presentations:

Juvenile Justice Advisory Committee (JJAC)

Maria Gurren, Criminal Justice Commission

Judge Bowles recalled that the Juvenile Justice Advisory Committee (JJAC),

formerly the JDAI/DMC Advisory Board, was reconvened and the coordination and staffing function was transferred back to the Criminal Justice Commission in the fall of 2015. Maria Gurren, Public Protection Coordinator, joined the CJC staff on March 14, 2016. Ms. Gurren provided an overview of the Juvenile Detention Alternatives Initiative (JDAI) Detention Utilization Study (DUS) including the purpose of the study, limitations of the findings and a definition of the purpose of detention.

Maria presented data illustrating the trend in LMYDS admissions since 2002 and advised embers regarding the methodology of the DUS. The study included a sample of 224 detained youth and 151 referred to LMYDS, but not detained. Findings for the detained sample were presented first including demographic information and an illustration of the disproportionate representation of black youth in the detained sample compared to the population of youth 11-17 in Jefferson County. In 2012, 29% of youth in Jefferson County from the ages of 11-17 were black and 68% were white. However, 73% of the detained youth in the sample were black youth and 24% were white. Maria added that disproportionality does not seem to affect all youth of color but rather black youth specifically and significantly. She also presented data on the Average Length of Stay (ALOS) in detention and noted that for black youth the ALOS was 31 days, 15 days for white youth, and 6 days for Hispanic youth. Although, the ALOS for Asian youth was 41 days, it was noted that there were only two Asian youth in the sample, one of whom stayed 75 days which skewed the findings for this group.

Referral and admission data were presented including the Most Serious Current Offense Type (MSCOT) which indicated that 58% of youth were charged with a felony, 23% of youth were charged with a misdemeanor, 18% with a violation and 1% fell into the "Other" category. Of the felony offenses, the majority, (50%) were violent felonies and of the misdemeanors, 43% were Misdemeanor Assault-Domestic Violence. Violent felony charge type data disaggregated by race revealed that 85% of violent felonies were charged to black youth and the most common violent felony in the detained sample was Robbery (46%). Data on offense history revealed that 90% of youth in the detained sample had been charged with a prior felony and 70% of youth had been charged with a prior assault.

Data on the referred, but not detained sample, revealed that 80% of youth in this sample were charged with a felony as their MSCOT, 19% were charged with a misdemeanor and 1% were charged with a status offense. Of the felony offenses, the majority, (52%) were violent felonies and of the misdemeanors, 64% were misdemeanor assault. Violent felony charge type data disaggregated by race revealed that 83% of violent felonies were charged to black youth and the most common violent felony in the referred but not detained sample was Assault in the 3rd Degree (78%). Offense history data revealed that 85% of youth in the referred, but not detained sample, had never been charged with a prior felony and 85% of youth in this sample had never been charged with a prior assault.

Maria presented a summary of findings addressing the ongoing issue of disproportionality of black youth with regards to detention admissions and ALOS. The DUS also revealed that MSCOT does not appear to be the driving factor in the detention decision and offense history may be more heavily weighted. The length and seriousness of the histories of detained youth were noted as well as the opportunity for

more targeted, early intervention with these youth to hopefully prevent future juvenile justice involvement. It was also noted that 10% of the detained sample were Misdemeanor Assault-Domestic Violence cases and that future discussion would focus on how current alternatives could be utilized for these youth as well as what new alternatives may be developed to address their specific needs.

Maria provided an update on the current work of the JJAC and outlined the tasks of each subcommittee. She reported that the Data Subcommittee is working to map the juvenile justice system, identify decision points where data needs to be collected, identify which agency owns the data. The Data Subcommittee is also working to establish more efficient data sharing practices across agencies in order to permit the JJAC to respond to increases in the detention population in a timely fashion and make data-driven decisions. The Alternatives to Detention (ATD)/Programming Subcommittee is investigating the utilization of existing ATDs as well as investigating the possible development of new ATDs for specific populations including Domestic Violence-related cases as well as a possible step-down program for youth being released from detention. The Case Processing Subcommittee is working to investigate racial disparities in the ALOS as well as the possibility of expediting cases for youth currently in detention or on home incarceration. Maria provided a brief update on the status of the Civil Citation Pilot Program. She added that a response to the letter sent to Chairs of the House and Senate Judiciary Committees was received from Representative Owens indicating that statutory revision does not appear to be needed in order to proceed with a Civil Citation pilot. A Civil Citation Workgroup will be formed to begin the planning of the Pilot Program.

In response to a question from Mark Bolton regarding regional comparisons, Maria noted that the JJAC has not performed any data comparisons with other jurisdictions. She noted, however, that she recently attended a site visit to Cook County, Illinois which is a model JDAI site and found it very informative. Rashaad asked Maria if the JJAC has determined that there is disparate treatment in similar circumstances at the justice system contact points, and Maria advised that the JJAC Data Subcommittee is working to map the juvenile justice system and identify decision points where data needs to be collected. A question was raised about the Civil Citation Process and how it would be implemented in conjunction with Senate Bill 200. Maria explained that first and second offenses would be cited civilly and youth would be referred to an Assessment Center for services in lieu of being charged through the criminal process. In response to a question from Judge Sherlock, Maria reported that the DUS only included LMYDS data therefore it is not known if any of the youth in the samples had dependency actions or if they were in foster care.

Equity in Metro Government

Ursula Mullins, Innovation Project Manager, Office of Performance Improvement and Innovation

Judge Bowles introduced Ursula Mullins to provide a report on the Equity in Metro Government project. Ms. Mullins provided an overview of the Office of Performance Improvement (OPI) and explained that OPI works with and through existing resources to deliver impact to citizens. She noted that Strategic Planning Liaisons, LouieStat Liaisons, and Performance Advocates are employed within each

Metro department and trained to support and improve each department's work. She reported that one of the Mayor's 21 Goals is to "Increase Inclusion and Create Equity." Efforts are underway to create a culture of diversity and inclusion in Metro Government; to improve workforce development with a focus on training and career opportunities for minority and disadvantaged communities; to increase support for minority owned businesses and entrepreneurship; to empower and include minority community groups, leaders, and individuals in public processes; and to institutionalize equity. She called attention to a picture comparing equality and equity, and explained that equality means treating everyone the same and equity means giving everyone what they need to achieve the goal.

Ms. Mullins highlighted OPI's Equity Initiatives, including "Living Cities Racial Equity Here." Louisville Metro is one of five cities chosen to participate in the initiative which is a joint project of the Center for Social Inclusion and the Haas Institute for a Fair and Inclusive Society. As part of the initiative, Metro will complete a racial equity assessment of core government operations and develop an action plan to advance racial equity. The initiative will focus on both adults and youth of color aged 16 to 24, who are disproportionately out of school or work (18.5% in Louisville). OPI will utilize national best practices to normalize the conversation, organize the effort, operationalize the strategies, and advance the work.

V. Justice Assistance Grant (JAG)

Lt. Eric Johnson, LMPD

The Criminal Justice Commission Board serves as the local public review body for the federal, Department of Justice, Justice Assistance Grant Program. Lt. Eric Johnson, Louisville Metro Police Department, provided an overview of the JAG equipment proposal totaling \$598,104. The proposal includes the purchase of 75 new fleet mobile data terminals and 68 replacements. Judge Bowles called for a formal vote. A motion was made by Scott Furkin, seconded by David Nicholson, and unanimously approved the grant proposal as presented.

VI. Committee Reports/Updates

a. Innovative Communities/Data-Driven Initiative – Kim Allen

Kim Allen reported the Criminal Justice Commission is participating in the Innovative Communities Data-Driven Justice Initiative sponsored by the White House. In October 2015, the White House hosted criminal justice leaders from across the country in a two-day convening focused on the use of data to address the needs of "super utilizers" revolving in and out of jails and other at-risk individuals through alternatives to incarceration. Based on bipartisan support for criminal justice reform efforts, the White House is taking the opportunity to scale and expand three key innovations including real-time data sharing, pre-arrest mental health diversion, and data-driven pre-trial risk assessment tools. Kim reported that the kick-off of the national project has been delayed in response to the recent incidents in Orlando, but that the official launch may happen as early as next week.

b. Vera Institute – Kim Allen

Kim reported that the Criminal Justice Commission was asked to provide a letter of support to the Vera Institute of Justice for their Bureau of Justice Assistance grant application. If awarded, Vera will develop a national model for a public health-informed justice system response to substance abuse that includes appropriate treatment, harm reduction strategies, and diversion strategies. The model will be developed in collaboration with experts in policing, courts, addiction medicine, harm reduction, public health, correctional health, and community supervision. It will then be applied in two jurisdictions that can benefit from technical assistance in translating the model's principles and strategies into concrete changes in policy and practice. Louisville Metro expressed interest in serving as one of the selected jurisdictions.

c. GovLab Academy Data Driven Criminal Justice Projects Coaching Program – Faith Augustine

Faith Augustine reported that due to technology challenges related to the Jail Population Management Dashboard and concerns that the existing platform may not permit the necessary enhancements to support a criminal justice data warehouse, the MCJC applied for and was selected to participate in the GovLab Academy Coaching Program for Data Driven Criminal Justice Projects. The coaching program, sponsored by the Laura and John Arnold Foundation and in partnership with the White House Office of Science and Technology Policy, is a first-of-its-kind online convening of jurisdictions working on empirically-based criminal justice innovation projects. There are 20 teams of 45 people from 12 states and 16 cities that will come together every other week for 10 weeks. Participants will receive personalized project management coaching designed to help overcome identified barriers to implementation. Projects fall into one of five categories including bail reform; reducing recidivism; mental health and substance abuse; superutilizers; and data-driven planning and coordination. It is anticipated that coaches will assist Louisville Metro in refining and identifying options for building a criminal justice system data warehouse by providing connections to technology experts from across the country. At the conclusion of the coaching program, a Data Warehouse Work Group, will be convened and will be led by former Commission Directors David Nicholson and Julie Hardesty.

VII. Old Business/New Business

VIII. Adjourn/Next Meeting: *August 17, 2016 at 2:00 p.m.*

With no further business to address, the meeting was adjourned. The next meeting of the Commission Board will be held on Wednesday, August 17, 2016 at 2:00 p.m. in the 6th Floor, Crown Room, Judicial Center.