



## JUDICIARY COMMITTEE

August 12, 2010

Minutes

Members Present: Deb Nolan, Rebecca Bahar-Cook, Laura Davis, Penelope Tsernoglou, Randy Schafer, Steve Dougan and Board Chairperson Debbie De Leon

Members Absent: None

Others Present: John Neilsen, Mike Botke, Sara Deprez and Maureen Winslow

The meeting was called to order by Chairperson Nolan at 7:07 p.m. in the Personnel Conference Room "D & E" of the Human Services Building, 5303 S. Cedar Street, Lansing.

### Approval of the July 15, 2010 Minutes

The July 15, 2010 Minutes were approved as submitted.

### Additions to the Agenda

4. Late – Update: Jail Utilization Coordinating Committee
5. Late – Update: Video Conferencing

### Limited Public Comment

None

1. Presentation - Teen Court, Director Mike Botke - "Teen Court Six Month Report"

Mr. Botke, Teen Court, informed the Committee that on October 15, 2010, Teen Court will celebrate its 10 year anniversary at Cooley Law School.

(Comm. Bahar-Cook arrived at 7:12 p.m.)

He stated that a Native American reservation in the Upper Peninsula is interested in starting a youth court. He indicated that for the coming fiscal year, Teen Court has received a small funding from Capital Area United Way and an increase in funding from Ingham County Substance Abuse Prevention Coalition. He stated that Teen Court's mission is to not only hold the youth accountable for their actions, but also their families. They are in the process of implementing "Staying Connected to Your Teen" parent workshops. He explained the demographic data, noting that 60 youth completed the program, while 13 "failed".

Comm. Copedge commended Teen Court, saying that it has come a long way.

Chairperson Nolan directed Mr. Botke to provide additional data listing the ethnic data by gender.

MOVED BY COMM. BAHAR-COOK, SUPPORTED BY COMM. SCHAFFER, TO APPROVE A CONSENT AGENDA FOR THE FOLLOWING ITEMS:

2. Circuit Court/Family Division
  - a. Out of State Travel Notification - Woodward, Iowa
  - b. Out of State Travel Notification - Yerington, NV to visit Silver State Academy
  - e. Resolution Authorizing Acceptance of a Cash Award for Michigan State University Adolescent Diversion Project

MOTION CARRIED UNANIMOUSLY.

MOVED BY COMM. BAHAR-COOK, SUPPORTED BY COMM. SCHAFFER, TO APPROVE THE ITEMS ON THE CONSENT AGENDA.

MOTION CARRIED UNANIMOUSLY.

2. Circuit Court/Family Division
  - c. Second Quarter Report

Ms. Winslow, Circuit Court, informed the Committee that petitions have increased since the last quarter.

Chairperson Nolan asked why Teen Court referrals have gone down. Ms. Winslow indicated that referrals are made to Teen Court based on the YLS Standardized Risk Assessment. Based on the score and interview, intake referees make the appropriate referrals to various programs.

Comm. Bahar-Cook directed Ms. Winslow to include data from IMPACT to the quarterly reports.

Chairperson Nolan suggested somehow involving Commissioners in the graduation. She also directed Ms. Winslow to provide additional data from Ingham Academy related to graduation, listed by race and gender.

Comm. Davis directed Ms. Winslow to clarify whether the racial category "Asian/Oriental" includes Middle Eastern children.

Comm. Bahar-Cook indicated that she would like a follow up on the 13 graduates from Ingham Academy to see what their future plans are after graduation.

- d. Resolution Authorizing Entering into a Contract for Attorney Services for Juvenile Delinquency and Truancy Matters

MOVED BY COMM. BAHAR-COOK, SUPPORTED BY COMM. DAVIS, TO APPROVE THE RESOLUTION AUTHORIZING ENTERING INTO A CONTRACT FOR ATTORNEY SERVICES FOR JUVENILE DELINQUENCY AND TRUANCY MATTERS.

Ms. Winslow informed the Committee that Judge Garcia offered to try a pilot project, having one attorney handle all the delinquency and truancy cases assigned to Judge Garcia. She indicated that the savings to the County would be approximately \$11,000 for delinquency cases, and \$6,000 for truancy cases.

Comm. Bahar-Cook asked what would happen if there is an issue with the attorney in terms of conflict of interest, etc. Ms. Winslow stated that another attorney can be selected from the court-appointed attorney list.

Comm. Tsernoglou expressed concern of reducing attorney fees. She asked how the attorney was chosen for the project, and whether others had applied. Ms. Winslow indicated that because it is a pilot project, only one judge is trying it out. She stated that if it were a success, the plan is to invite other attorneys to participate. She informed the Committee that the advantage of this program is that the attorney will have a good understanding of what the court does for delinquent youth. In addition, the youth assigned to Judge Garcia's court will receive a consistent level of representation.

Comm. Bahar-Cook expressed concern that an RFP was not sent out, and that one attorney is representing all the clients that are tried in a particular judge's court. Mr. Neilsen indicated that no formal bidding process took place because it is a pilot project. However the District Court follows a similar process.

Comm. Schafer expressed his approval of the pilot project.

Comm. Bahar-Cook expressed concern that the judge is selecting the only court-appointed attorney for the delinquency and truancy cases. However, she stated that she is willing to approve the resolution under the condition that the selection process be reviewed at the end of the pilot.

MOVED BY COMM. DOUGAN, TO AMEND THE 5<sup>TH</sup> AND 6<sup>TH</sup> WHEREAS TO ADD THE FOLLOWING LANGUAGE TO THE END: "AS COMPARED TO THE PREVIOUS YEAR'S EXPENSES." THIS WAS ACCEPTED AS A FRIENDLY AMENDMENT.

MOVED BY COMM. DOUGAN, TO AMEND THE 1<sup>ST</sup> BE IT FURTHER RESOLVED BY ADDING THE FOLLOWING LANGUAGE AT THE END: "...AND WILL BE REEVALUATED BY THE BOARD OF COMMISSIONERS PRIOR TO IMPLEMENTATION ON SEPTEMBER 1, 2011." THIS WAS ACCEPTED AS A FRIENDLY AMENDMENT.

MOVED BY CHAIRPERSON NOLAN, TO AMEND THE AMENDMENT OF THE 1<sup>ST</sup> BE IT FURTHER RESOLVED BY ADDING THE FOLLOWING LANGUAGE AFTER THE WORD "AND": "THE PILOT DATA". THIS WAS ACCEPTED AS A FRIENDLY AMENDMENT.

MOVED BY COMM. DOUGAN, TO AMEND THE 2<sup>ND</sup> BE IT FURTHER RESOLVED BY CHANGING THE WORD "AMOUNT" TO "AMOUNTS". THIS WAS ACCEPTED AS A FRIENDLY AMENDMENT.

MOTION ON THE RESOLUTION CARRIED UNANIMOUSLY.

- f. Resolution Authorizing Entering into a Contract with Dr. Edward Latessa and Subcontracts with Peckham, Inc. and Sequel Youth and Family Services

MOVED BY COMM. DOUGAN, SUPPORTED BY COMM. SCHAFER, TO APPROVE THE RESOLUTION AUTHORIZING ENTERING INTO A CONTRACT WITH DR. EDWARD LATESSA AND SUBCONTRACTS WITH PECKHAM, INC. AND SEQUEL YOUTH AND FAMILY SERVICES.

Ms. Winslow informed the Committee that there will be a 6-9 month training program. She indicated that Phase 1 will be Program Design and Development. She stated that staff will review both group homes in detail, removing components of the programs that are not evidence-based. Dr. Latessa's group will design the program based on national research and evidence-based practice. They will then lead training, dealing with cognitive behavioral treatment (evidence-based). Following training will be implementation of the program. The court will be provided with a program description and copies of all program materials.

(Board Chairperson De Leon left at 8:36 p.m.)

MOTION CARRIED UNANIMOUSLY.

3. Board Referral - Resolution from Antrim County Opposing a Funding Increase for Juvenile Justice Residential Programs

The Board Referral was received and placed on file.

4. Update: Jail Utilization Coordinating Committee

Comm. Tsernoglou informed the Committee that the JUCC is moving forward on the recommendations from the Luminosity report. She stated that following a discussion of pre-trial services, everyone seemed willing to move forward with the issue.

5. Update: Video Conferencing

Mr. Nielsen indicated that they have received two responses following the RFP process. They have requested 7 video conferencing units. In addition, there is a grant from SCAO authorizing an equipment grant for approximately \$22,800 for 12 video conferencing units.

#### Announcements

Comm. Davis informed the Committee that a new retractable dock is being built at Lake Lansing. She indicated that an expert is being brought in to discuss youth involvement and programming in relation to the lake. She had suggested involving Ingham Academy.

#### Public Comment

None

The meeting adjourned at approximately 8:48 p.m.

Respectfully submitted,

Karsha Sathianathan





**JUCC Participants:**

**Honorable William Collette**, 30<sup>th</sup> Judicial Circuit

**Honorable David Jordon**, 54-B District Court

**Rhonda Swayze**, Deputy Court Administrator, 30<sup>th</sup> Judicial Circuit

**Shauna Dunnings**, Friend of the Court, 30<sup>th</sup> Judicial Circuit

**John Rehagan**, Pretrial Investigator, Pretrial Services Div., 30<sup>th</sup> Judicial Circuit

**Lisa McCormick**, Chief Asst. Prosecutor, Ingham County Prosecutor's Office

**Allan Spyke**, Undersheriff, Ingham County Sheriff's Office

**Chief Deputy Greg Harless**, Ingham County Sheriff's Office

**Major Sam Davis**, Jail Administrator, Ingham County Sheriff's Office

**Kyle Williams**, Supervisor, Ingham County Adult Probation

**Da'Neese Wells**, Chief Probation Officer, 55<sup>th</sup> District Court

**Robin Osterhaven**, Chief Probation Officer, 54-A District Court

**John Neilsen**, Deputy Controller, Ingham County Controller's Office

**Mary Sabaj**, Ingham County/City of Lansing, Community Corrections

RECOMMENDATION FROM  
CIRCUIT COURT PRETRIAL SERVICES DIVISION TO JUCC  
IN RESPONSE TO REPORT PREPARED BY LUMINOSITY, INC.

The Pretrial Services Division, after review of the report prepared by Luminosity, Inc. and after discussion of the results of the August 5, 2010, meeting of JUCC members, submits the following as a proposed reorganization plan to assist in alleviation of jail overcrowding in the felony pretrial population. Implementation of the plan is dependent on securing one FTE Pretrial Service Investigator (PTI) position, an assurance of consistent, long-term availability of interns, and availability of space at the 54A District Court.

Additions to Existing Staff:

As recommended by JUCC members, request that one FTE PTI be added to the Pretrial Services Division. The job description, as currently written, is attached. Please note that the job description is outdated and should be revised as part of the reorganization process. As discussed by JUCC members and Pretrial Services Division employees, secure two part-time, unpaid, interns.

Assignment of Duties:

One PTI will be primarily located, if space is available, at the 54A District Court. This Investigator will be responsible for conducting pre-arraignment bond reports for felony defendants at the 54A District Court.

One PTI will be responsible for post-arraignment bond reports for the 54B and 55<sup>th</sup> District Courts, bond modification reports, travel requests, and will share responsibility for initial check ins.

One PTI will be responsible for providing supervision of a targeted population (those who fall between tether and no release) and will share responsibility for initial check ins.

One part-time intern will assist the PTI who is responsible for post-arraignment bond reports, bond modification reports, travel requests, etc. The other part-time intern will assist the PTI who is responsible for supervision.

PTIs and interns will all be responsible for performing any clerical work necessary to complete their investigative duties.

Expected Results:

It would be difficult to quantify expected results in advance, however, we would expect to see a shortening of length in jail days for those defendants who have the benefit of a pre-arraignment bond report and a reduction of occupied jail beds as some defendants who normally would not have been released are released to a meaningful supervision program.

**2011 PERSONNEL COST PROJECTION  
 PRE-TRIAL SERVICES INVESTIGATOR  
 COURT PROFESSIONAL LEVEL 6**

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Topped-Out (Max Longevity)</u>
Salary	\$45,547	\$47,676	\$49,904	\$52,238	\$54,678	\$54,678
Longevity	0	0	0	0	600	1,800
<b>Wages</b>	<u>\$45,547</u>	<u>\$47,676</u>	<u>\$49,904</u>	<u>\$52,238</u>	<u>\$55,278</u>	<u>\$56,478</u>
Unemployment	0	0	0	0	0	0
FICA	3,484	3,647	3,818	3,996	4,229	4,321
Health	14,263	14,263	14,263	14,263	14,263	14,263
Dental	828	828	828	828	828	828
Vision	111	111	111	111	111	111
Retiree Health	455	477	499	522	553	565
Life	101	101	101	101	101	101
Disability	87	91	95	99	105	107
Retirement	5,379	5,631	5,894	6,169	6,528	6,670
Workers Comp	34	36	37	39	41	42
C.A.R.E.S.	33	33	33	33	33	33
Liability	497	520	545	570	603	617
<b>Total Cost</b>	<u>\$70,819</u>	<u>\$73,414</u>	<u>\$76,128</u>	<u>\$78,969</u>	<u>\$82,673</u>	<u>\$84,136</u>

**INGHAM COUNTY  
JOB DESCRIPTION**

**PRETRIAL SERVICES INVESTIGATOR**

**General Summary:**

Under the general supervision of the Deputy Court Administrator, interviews persons arrested for felonies to bond recommendations, completes a risk/needs assessment, and recommends conditions of release. Monitors and supervises felony defendants who are released on conditional bonds and initiates court action of any misconduct. Maintains liaison between the defendant, the courts, the Prosecutor, and other components of the criminal justice system.

**Essential Functions:**

1. Interviews and gathers information on background, time in community, ties to the community, and other data from defendants housed in the County jail or who have been released on bond. Initiates repayment contracts with defendants and verifies sources of income during initial face-to-face interviews.
2. Verifies information gathered through criminal history checks, LIEN reports, and other sources to determine criminal history, current status in the criminal justice system and to assess the likelihood of pretrial misconduct.
3. Interprets collected data and prepares and submits a bond report making recommendations to the Judge concerning conditional release and risk factors. Conducts a risk/needs assessment to determine the likelihood of failure to appear and the risk to public safety, as well identify appropriate referrals and other appropriate conditions of release.
4. Assesses and identifies community referral needs for the defendant in areas such as physical and mental health, substance abuse assistance, employment counseling and school enrollment. Prepares and submits related reports for judicial review.
5. Monitors and supervises the defendants ensuring they are familiar with the conditions of their release. Notifies defendants of scheduled court dates and maintains regular contact during the pending case. Ensures that the defendant continues to comply with all conditions of release.
6. Prepares and submits a report to the Judge if the defendant is in non-compliance of the conditions of release. Initiates show cause notices, appears in court, provides testimony and evidence of non-compliance. Makes recommendations to continue, modify or revoke bond.
7. Assists the Circuit Court and the Jail Administrator, in times of jail overcrowding, to review and submit recommendations on defendants who have not been sentenced or entered into a plea agreement, but might be good candidates for conditional release.

PRETRIAL SERVICES INVESTIGATOR (1/22/01)

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8. Prepares various reports, forms, documents and other correspondence.
9. Responds to requests from the defendant and his/her family members, District and Circuit Court staff, jail personnel, and the Prosecutor's office. Provides information as requested on the status of the defendant.
9. Assists in maintaining the Pretrial Services Division database by inputting all required information into the system regarding the defendant. Generates statistical data upon request.
10. Appearance of interpreters at initial court hearings. Generates and maintains list of interpreters available in the area. Makes referral to other agencies and defense counsel as requested.

**Other Functions:**

12. None listed.

*An employee in this position may be called upon to do any or all of the above tasks. (These examples do not include all of the tasks which the employees may be expected to perform.)*

**Employment Qualifications:**

**Education:** Two years of college coursework in criminal justice, the social sciences, or a related field. Bachelor's Degree preferred.

**Experience:** Two years of law enforcement/investigative experience providing familiarity with investigative techniques and the criminal justice system.

**Other Requirements:** Valid Michigan driver's license. Maintain annual LEIN certification.

*The qualifications listed above are intended to represent the minimum skills and experience levels associated with performing the duties and responsibilities contained in this job description. The qualifications should not be viewed as expressing absolute employment or promotional standards, but as general guidelines that should be considered along with other job-related selection or promotional criteria.*

**Physical Requirements:** [This job requires the ability to perform the essential functions contained in this description. These include, but are not limited to, the following requirements. Reasonable accommodations will be made for otherwise qualified applicants unable to fulfill one or more of these requirements]:

- Ability to access public facilities including the county jail.
- Ability to enter and retrieve information from computers.
- Ability to access filing systems.

**Working Conditions:**

Contact with individuals in jail or on conditional release that may be prone to anger and violence.

Exposure to a variety of community locations and residences that may pose health or safety risks.

