

MINUTES
LANCASTER COUNTY-CITY OF LINCOLN JUSTICE COUNCIL
FRIDAY, MAY 5, 2023 AT 7:30 A.M.
605 S. 10TH STREET, LINCOLN, NE
ROOM 137A

Advanced public notice of the meeting was posted on the County-City Building bulletin board, and the Lancaster County, Nebraska website and emailed to media on May 3, 2023, and published in the Lincoln Journal Star print edition and website on May 1, 2023.

VOTING MEMBERS PRESENT: Rick Vest, County Commissioner; Kristi Egger, Public Defender; Jeff Curry, Chief Probation Officer, Adult Probation; Terry Wagner, Sheriff; Brad Johnson, Corrections Director; Hassan Ramzah, UNL Police Chief; and Bennie Shobe, Lincoln City Council

VOTING MEMBERS ABSENT: Matt Schulte, County Commissioner; Pat Condon, County Attorney; Scott Etherton, Mental Health Crisis Center Director; Steven Wesley, Youth Services Center Director; Teresa Ewins, Lincoln Police Department Chief; Yohance Christie, City Attorney; Sara Hoyle, Human Services Director; and Mario Scalora, UNL Public Policy Center

EX OFFICIO MEMBERS PRESENT: Spike Eickholt, Government Liaison, American Civil Liberties Union (ACLU); Landon Parks, Community Corrections Assistant Director; Gregg Harre, Youth Services Center Administrator; Jessica Kerkhofs, Chief Assistant City Attorney; Amanda Phillips, District Court Administrator; Patrick Kriefels, Region V Systems; and Ken Prey, Jail Administrator

OTHERS PRESENT: Dave Derbin, Chief Administrative Officer; Leslie Brestel, County Clerk's Office; Olivia Butts, Beth Grauerholt and Rachel Mulcahy, representatives with Justice in Action

Commissioner Vest opened the meeting at 7:33 a.m. and announced the location of the Open Meetings Act. Copies of meeting materials were also available.

AGENDA ITEM

1) APPROVAL OF JUSTICE COUNCIL MINUTES FOR FEBRUARY 3, 2023

MOTION: Johnson moved and Shobe seconded approval of the February 3, 2023 meeting minutes. Curry, Johnson, Egger, Ramzah, Shobe, Wagner and Vest voted yes. Christie, Condon, Etherton, Ewins, Hoyle, Scalora, Wesley and Schulte were absent. Motion carried 7-0.

2) BOARD OF CORRECTIONS – Brad Johnson, Corrections Director

A. POPULATION STATISTICS AND CHARTS

Johnson gave a presentation on jail statistics (see agenda packet). He said the average daily population was 655 in the last quarter, which is an increase of 13.6% from last year. This represents 96.6% of the jail's operational capacity. The operational capacity is based off of the staffing numbers.

All pods at the jail are currently in use. Johnson said he is at the point of contracting with other jails for housing. He is budgeting \$1,000,000 for next year. The cost to contract out for jailed housing is estimated at \$65 per day as opposed to the County jail's cost of \$120 per day.

Egger inquired as to which populations would go out to other jails. Johnson replied his first choice would be individuals currently serving a sentence as there are fewer court dates to consider. Eickholt said other jails can be picky about who they take.

The average waiting time for individuals to be admitted to the Lincoln Regional Center (LRC) is 31 days from the date the judge's order is given. This wait time does not include the estimated six to eight weeks prior to the order where the individual was in the jail's custody. This is lower than previous reports. There are still 18 individuals in the jail waiting to be admitted to the LRC.

Shobe asked who operates the LRC. Johnson responded that the State operates the LRC. There are 60-70 individuals statewide on the LRC waiting list.

3) COMMUNITY CORRECTIONS UPDATE – Landon Parks, Lancaster County Community Corrections Assistant Director

A. NATIONAL NETWORK OF CRIMINAL JUSTICE COORDINATING COUNCILS (NCCJCC) ANNUAL MEETING

There was no information available on Item 3A.

B. LOCAL PROBLEM-SOLVING COURT STEERING COMMITTEE

Item held later in meeting.

C. STATISTICS AND CHARTS

Parks gave a presentation on Community Corrections programs (Exhibit 1). He said the average number of program participants per day was 120. If this population were not in the programs, they would be in jail. The average jail population at the time of these statistics was 630 individuals. He noted the future goal of the presentation is to be able to tie into the arrest data, also.

Wagner asked what is cost per day for program participation. Parks answered \$8 per day is average, though it depends on the program.

Parks said a risk and needs matrix is used in assisting in determining program participant needs to be placed in a program where they will be most successful. There has been a 49% increase in the Diversion program (Exhibit 1, page 24). Mental Health Diversion participation has also increased. He discussed the screening and assessment process (Exhibit 1, pages 14-17). Parks noted the program for possession of a controlled substance bond project may be brought back. This program assisted in getting individuals into Community Corrections program quickly. Participants could start the program within eight days of an arrest. Johnson added law enforcement makes the decision if certain charges are able to be bonded out. He felt any changes that could be made to reduce the number of individuals detained for

possession of a controlled substance could make a big impact at the jail.

Egger voiced concern for the cost of evaluations to participants and also asked Parks if Community Corrections has the ability to handle more evaluations and resources for more program participants. Parks said evaluations are free. He was more concerned about the availability of treatment programs in the community. Egger inquired if program classes are available at various times to accommodate various work schedules. Parks many of those program participants would be available during the day; however, work schedules could be accommodated. Participants could find assistance with insurance or Medicaid needs through Community Corrections staff.

Parks reviewed Pretrial Release, Diversion programming and House Arrest data (Exhibit 1, pages 15-16).

4) PUBLIC DEFENDER UPDATE – Kristi Egger, Public Defender

Egger gave a presentation on incarceration rates, the number of cases and associated ethnicities of individuals represented by the Public Defender's Office, and the average sentences imposed on trespassing and misdemeanor thefts (see agenda packet). She felt there are more cases where probation or community service could be imposed instead of jail time. She proposed alternative solutions to incarceration (see agenda packet). She felt the Night Court program and Zoom court appearances should be continued.

Wagner questioned if jail is removed as a possible consequence for actions, then what is the reason to stay away from crime. Egger said she wants a more caring society and that some actions are over criminalized. Johnson added these are not easy issues and cases should be reviewed individually.

Kriefels discussed the upcoming mental health respite care facility which will have 16 beds for voluntary crisis stabilization and mental health respite. The County has allocated \$2,000,000 in American Rescue Plan Act (ARPA) funds for the capital improvements to the project. Region V Services will make a recommendation to a provider for the program.

There was general discussion about the increase in calls from citizens concerning trespassing and corresponding law enforcement response.

AGENCY AND ORGANIZATIONAL UPDATES

A. Courts

Philips noted courts have upcoming budget hearings.

B. City Attorney

C. County Attorney

D. Public Defender

No reports were given.

E. Law Enforcement

Hassan and Wagner discussed trespassing and site and release.

Hassan exited the meeting.

F. Probation

Curry offered to present Probation data at a future Justice Council meeting.

RETURNING TO ITEM 3B

B. LOCAL PROBLEM-SOLVING COURT STEERING COMMITTEE

Parks requested permission from the Justice Council members for the Justice Council to be listed as the steering committee for the local problem-solving courts.

MOTION: Shobe moved and Johnson seconded for the Justice Council to serve as the steering committee for the local problem-solving courts.

Wagner asked what the steering committee does that is different from what the Justice Council does currently. Curry answered the steering committee is a response to best practices standards. Shobe expressed a desire for the steering committee to help change the mindset of individuals to embrace programs as an alternative to incarceration.

ROLL CALL: Curry, Johnson, Egger, Shobe, Wagner and Vest voted yes. Ramzah, Christie, Condon, Etherton, Ewins, Hoyle, Scalora, Wesley and Schulte were absent.

NOTE: It was noted after the roll call that only six voting members of the Justice Council were present. Committee action requires a quorum of at least seven voting members.

RETURNING TO ITEM 5G

G. Service Providers

Randa expressed a desire to bring information from the committee to the cultural centers.

Kriefels discussed the Family Resource Center as it will have mental health respite for youth. The center will be available to the community. The County has earmarked \$6,000,000 in ARPA funds for this project. Mobile crisis response is available to law enforcement through CenterPointe.

Kriefels also stated the Legislature released the budget, which, while a provider rate increase was approved, the base funding was decreased which will impact the number of services available to the community.

H. Other Community Partners

Young said St. Monica's is opening a halfway home for women on June 1, 2023.

Justice in Action

Vest noted there is a new community group, Justice in Action, that is a cooperative group of religious groups interested in alternatives to incarceration and community-based service programs.

Youth Services Center (YSC)

Harre said there are two open positions at the YSC. There are no have placement availabilities for youth.

5) NEXT MEETING – FRIDAY, AUGUST 4, 2023

Informational only.

6) ADJOURNMENT

There being no further business the meeting was adjourned at 9:01 a.m.

Submitted by,

Leslie Brestel
County Clerk's Office