

MINUTES
LANCASTER COUNTY-CITY OF LINCOLN JUSTICE COUNCIL
FRIDAY, AUGUST 4, 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 August 1, 2023, and published in the Lincoln Journal Star print edition and website on July 31, 2023.

VOTING MEMBERS PRESENT: Matt Schulte, County Commissioner; Pat Condon, County Attorney; Scott Etherton, Mental Health Crisis Center Director; Kristi Egger, Public Defender; Jeff Curry, Chief Probation Officer, Adult Probation; Brad Johnson, Corrections Director; Hassan Ramzah, UNL Police Chief; and Bennie Shobe, Lincoln City Council

VOTING MEMBERS ABSENT: Rick Vest, County Commissioner; Steven Wesley, Youth Services Center Director; Yohance Christie, City Attorney; Sara Hoyle, Human Services Director; and Mario Scalora, UNL Public Policy Center; Terry Wagner, Sheriff

EX OFFICIO MEMBERS PRESENT: Spike Eickholt, Government Liaison, American Civil Liberties Union (ACLU); Patrick Kriefels, Region V Systems; Jessica Kerkhofs, Chief Assistant City Attorney; Amanda Phillips, District Court Administrator; Ken Prey, Jail Administrator; Natalya Young, St. Monica's; Taryn Talliver, Community Corrections Program Manager; Ben Houchin, Chief Sheriff Deputy; Brian Jackson, Michon Morrow, Lincoln Police Department; Chris Turner, Deputy County Attorney; Julie Fisher-Erickson, Lutheran Family Services

OTHERS PRESENT: Leslie Brestel, County Clerk's Office; Courtney Lyons, Deputy County Clerk; Olivia Butts, Beth Grauerholt and Rachel Mulcahy, representatives with Justice in Action

Commissioner Schulte opened the meeting at 7:31 a.m. and announced the location of the Open Meetings Act. Copies of meeting materials were available.

AGENDA ITEM

1) APPROVAL OF JUSTICE COUNCIL MINUTES FOR MAY 5, 2023

MOTION: Johnson moved and Curry seconded approval of the May 5, 2023 minutes. Condon, Curry, Johnson, Egger, Ramzah, Shobe and Schulte voted yes. Etherton abstained. Christie, Hoyle, Scalora, Wagner, Wesley and Vest were absent. Motion carried 7-0 with 1 abstention.

2) RATIFICATION OF VOTE ON LOCAL PROBLEM-SOLVING COURT STEERING COMMITTEE

Curry said the request is for the Justice Council to be listed as the steering committee for the local problem-solving courts. The steering committee is a response to best practices standards. Each

quarter, the steering committee would present to the Justice Council. At the last Justice Council meeting, there was not a quorum for the vote, so the item was brought to today's meeting for ratification.

MOTION: Shobe moved and Johnson seconded for the Justice Council to serve as the steering committee for the local problem-solving courts. Condon, Curry, Etherton, Johnson, Egger, Ramzah, Shobe and Schulte voted yes. Christie, Hoyle, Scalora, Wagner, Wesley and Vest were absent. Motion carried 8-0.

3) BOARD OF CORRECTIONS – Brad Johnson, Corrections Director

Johnson reported a 13.8% increase in the daily attendance from the same time period last year, which is 101.8% of the jail's operational capacity. The total bed count for the facility is over 700. Yesterday, there were 727 individuals in custody. The majority of the jailed population is pre-trial felony charges, which have increased from last year.

Fisher-Erickson asked if the increase in the growth of the County's population could account for the increase in the jail numbers. Johnson said it could explain some of the increase.

Condon stated the racial makeup of those in custody would be a different makeup statistically than if you include those who are charged with crimes who are not lodged in the jail.

Johnson discussed the average wait times for the Lincoln Regional Center (LRC). He noted the wait time is currently 56 days. There are 52 in custody awaiting assistance with competency issues. This is a very difficult population and accounts for 7.5% of the jail population.

Fisher-Erickson asked what is causing the delay to get into the LRC.. Etherton and Tolliver noted recent renovations, staffing shortages, and the number of individuals statewide waiting for LRC services. Etherton added the LRC is prioritizing court cases over Mental Health Board cases. The Mental Health Crisis Center (MHCC) has not had a female admitted to the LRC since January. The last male from the MHCC was admitted in May. In the last year the MHCC has stabilized patients using inpatient treatments and then referred them to a lower level of care.

Houchin asked if those being sent to the LRC from the MHCC are returning to the MHCC. Etherton responded there is a residential care facility that can assist individuals; however, there have been some people who have been released from the LRC that return to the MHCC. Tolliver added finding appropriate housing for individuals is an issue.

Eggers inquired how would a mental health board commitment help individuals on an application for competency restoration. Tolliver said currently if an individual has a mental health board commitment, program partners would accept that individual as they would be legally required to remain in the intended program.

Johnson stated there are twenty women housed in the Washington county jail as the Lancaster jail is full. Those housed out of county are intended to be already sentenced to avoid issues with others' court appointments. The Washington County jail does have Zoom technology capability. The cost per day to house these inmates is estimated at \$65 to70 per day. Transportation costs are in

negotiations. The per diem rate for Lancaster is \$120 per day.

There was general discussion on the barriers including transportation, appointments and visitations that can be faced when housing inmates out of county. Schulte said this is not an ideal situation but he understood why it is being used.

4) COMMUNITY CORRECTIONS UPDATE – Taryn Tolliver, Program Manager, Lancaster County Community Corrections

Tolliver distributed and discussed a handout of Community Corrections program statistics (Exhibit 1).

Shobe asked what happens to those on house arrest if they have a domestic violence offense. Tolliver said individuals could go to a treatment program or stay with other family members or friends. It is a barrier that needs to be addressed.

Egger inquired about the fee for house arrest. Tolliver responded there is a \$30 connection fee and an additional \$10 per day. Payment plans or fee waivers can be used.

Condon asked how many individuals in Treatment Diversion do not complete the program and end up in Drug Court. Tolliver said she would research that and report back.

5) PROBLEM-SOLVING COURTS UPDATE – Mindy Millan-Groves, Problem Solving Court Coordinator, State of Nebraska

Curry stated the Veterans Court currently has seven participants. The program is 18 to 24 months, and 24 people have graduated. The application process for the program is going to be revamped.

The DUI Court is in its pilot stage which has a capacity of 28 participants. All of the cases are felony cases and include sobriety testing. The DUI charge never goes away but it is pled down with completion of the program.

6) GOV2GO PILOT PROJECT – Amy Prenda, Deputy Administrator for Court Services; and Jared Callahan, Communications Coordinator, Operations Division; Administrative Office of the Courts and Probation

Prenda distributed a handout regarding the Gov2Go pilot project (Exhibit 2). She noted there were very few people who signed up for Gov2Go and that the program is being suspended. Other ways of communication within and through the current Justice court system software will be explored.

7) AGENCY AND ORGANIZATIONAL UPDATES

A. Courts

No update given.

B. City Attorney

No update given.

C. County Attorney

Condon reported he has been in discussions with City and County legal divisions to find more efficiencies in County Court. He noted many of the pre-trial felonies in the jail are Class II or higher.

D. Public Defender

Eggers said many individuals represented by her office and many of those in jail have mental health issues. She stressed the importance of getting people into problem-solving courts or diversion programs.

E. Law Enforcement

Hassan and Houchin reported hiring officers continues to be an issue for the UNL police and the Sheriff's Office.

Morrow stated there will be a new homeless call for service diversion program through a partnership with CenterPointe.

F. Probation

No update given.

G. Service Providers

Etherton reported the Mental Health Crisis Center (MHCC) has hired a new psychologist. There have been 38 inpatient commitments and 48 outpatient commitments.

Fisher-Erickson said Lutheran Family Services is continuing to have hiring issues.

Young stated the St. Monica's facility is full with a four to six week wait list. A new halfway house for twelve women will be opening soon.

Kriefels discussed the Request for Proposal (RFP) for the Family Resource Center.

H. Other Community Partners

No reports given.

8) NEXT MEETING – FRIDAY, NOVEMBER 3, 2023

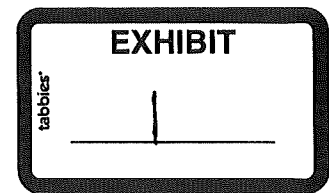
Informational only.

9) ADJOURNMENT

There being no further business the meeting adjourned at 8:49 a.m.

Submitted by

Leslie Brestel
County Clerk's Office



Community Corrections Participants Served January 2023 to Current

Pretrial Release

- 71 individuals in program. 15 current participants.
- 44% successfully completed.
- 8013 total days supervised. Avg of 112.9 days. *

24/7

- 71 individuals in program. 34 current participants.
- 72% successfully completed.
- 10474 total days supervised. Avg. of 147.5 days. *

House arrest

- 717 individuals in program. 48 current participants.
- 89% Successfully completed.
- 13407 total days supervised. Avg. 18.7 days. *

Reentry

- 20 individuals in program. 8 current participants.
- 50% successfully completed.
- 3840 total days supervised. Avg. 192 days. *

CAST- Community assistance support team

- 249 individuals in the program. 50 Current participants.

Diversion (general, ISD, MHD)

- 1153 individuals in program. 613 Current participants.
- 68% successfully completed.

Treatment diversion

- 97 individuals in program. 37 current participants.
- 21% successfully completed.

Drug Court

- 78 individuals in program. 47 current participants.
- 45% successfully completed.

* this time would otherwise be served in jail.

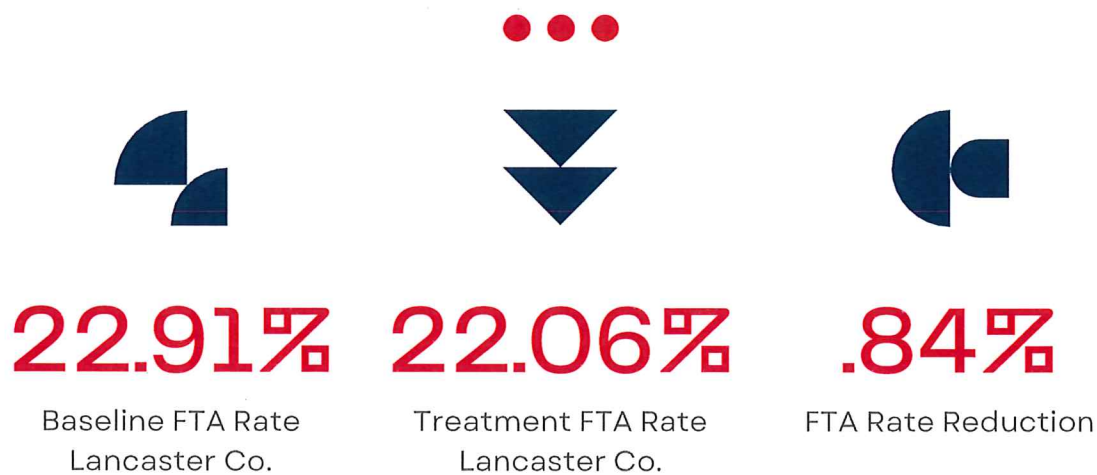


Reducing Failure to Appear

Preliminary results from Lancaster County

Over a 6-month period, beginning August 2022, Lancaster County Law Enforcement partners and the Administrative Office of Courts and Probation served information to individuals on the importance of going to court, and provided a reminder service for users who chose to register.

Individuals receiving citations, or released on bond, were given information pointing to the sign-up page for Gov2Go to self-register for reminders. Additionally, the educational components of the importance of going to court was replicated on the information given to these individuals. At the end of the 6-month test period, it was determined that very few individuals signed up for Gov2Go as a service. Despite this, there was a *small but tangible difference* in the failure to appear (FTA) rate in Lancaster County, attributable to the educational component of the information received alongside citations.



> Recommendations & Next Steps

The Pilot Study reveals that users are not signing up for the reminder service on their own. Gov2Go service reminders will be discontinued. However, the impact on the FTA rate, though small, encourages the continuation educational material to be printed with electronic citations and provided with paper. Reducing the FTA rate even marginally benefits all parties in the justice system. The narrative will be retooled to accommodate the discontinuation of Gov2Go.