

MINUTES
LANCASTER COUNTY-CITY OF LINCOLN JUSTICE COUNCIL
FRIDAY, NOVEMBER 4, 2022 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 November 2, 2022, and published in the Lincoln Journal Star print edition and website on October 31, 2022.

PRESENT: Deb Schorr and Rick Vest, County Commissioners; Kim Etherton, Community Corrections Director; Teresa Ewins, Lincoln Police Department Chief; Joe Nigro, Public Defender; Spike Eickholt, Government Liaison, American Civil Liberties Union (ACLU); Ken Prey, Jail Administrator; Landon Parks, Community Corrections Assistant Director; Yohance Christie, City Attorney; Sara Hoyle, Human Services Administrator; Pat Condon, County Attorney; Natalya Young, St. Monica's Deputy Director; Terry Wagner, Sheriff; Gregg Harre, Youth Services Center Administrator; Scott Etherton, Mental Health Crisis Center Director; Curry, Chief Probation Officer, Adult Probation; Jessica Kerkhofs, Chief Assistant City Attorney; Amanda Phillips, District Court Administrator; Tom Randa, Good Neighbor Community Center; Kristi Egger, citizen; Dave Derbin, Chief Administrative Officer; and Leslie Brestel, County Clerk's Office

ABSENT: Steven Wesley, Youth Services Center Director; Brad Johnson, Corrections Director; Hassan Ramzah, UNL Police Chief; Mario Scalora, UNL Public Policy Center; Bennie Shobe, Lincoln City Council

Commissioner Schorr 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 AUGUST 5, 2022 AND OCTOBER 14, 2022

MOTION: Vest moved and K Etherton seconded approval of the August 5, 2022 meeting minutes. Motion carried unanimously.

MOTION: K Etherton moved and Vest seconded approval of the October 14, 2022 meeting minutes. Motion carried unanimously.

2) BOARD OF CORRECTIONS – Brad Johnson, Corrections Director

Ken Prey gave a presentation.

A. POPULATION STATISTICS AND CHARTS

Prey stated the average daily population was 636 which is a .8% decrease from last year and is 95.7% of the department's operational capacity. He noted the population at the jail as of today is 650. The number of recent COVID cases has been minimal.

Prey reported the waiting times for the Lincoln Regional Center (LRC) have decreased. There is a contract for the LRC to work with individuals in the jail on competency restoration.

3) COMMUNITY CORRECTIONS UPDATE AND DATA – Kim Etherton, Community Corrections Director

A. NATIONAL NETWORK OF CRIMINAL JUSTICE COORDINATING COUNCILS (NNCJCC) APPLICATION UPDATE

K Etherton reported there is no membership fee to join the NNCJCC. The NNCJCC is meant as a networking organization in which members can participate as much as they want. Removal from membership can be requested at any time. The membership application has been submitted.

B. COMMUNITY CORRECTIONS DATA

Parks demonstrated the Community Corrections database with department and program overviews (see agenda packet). The applications received during the various months correlates with the jail's booking and lodging data. There is statistical significance of program eligibility when looking at the racial makeup of applicants. Parks noted there are many factors that can contribute to an individual's eligibility, especially in house arrest or domestic violence cases. Pretrial release program data is not currently included in this data. It will be added in at a later date. K Etherton stated there is an average of 20-30 individuals on pre-trial release. Drug Court is also not included in this data. Parks added the State will be moving to this same database.

When reviewing the total number of individuals served by each program, K Etherton said the expired Diversion cases of 4,200 individuals are cases between 2015 and 2017 that were lumped together in with the original data merge and not separated by program type.

Concerning the number of days in Community Corrections programs, Parks stated there have been 1,800,000 program days with individuals serving as little as one day and as high as 901 days.

In calculating various programs, data is taken from the Criminal Justice Information System (CJIS) and run through the jail data to remove rebookings. The 80% success rate of the house arrest program means that none of the successful individuals have been rebooked into custody since 2015. Vest inquired if there are additional services for those on house arrest to help ensure success. Etherton answered there are varying levels of supervision for those on house arrest which correlate to support levels.

While discussing diversion programs, Parks stated if an individual fails at one that person may not be eligible for other diversion programs. The use of the Risk and Needs Tool (RANT) helps ensure individuals are placed in a program where they will be most successful.

Parks said 203,700 jail bed days have been saved which equates to approximately \$20,372,300. The average length of pre-trial stay is 90 days. If all house arrests were stopped, an extra 70 beds per day would be needed (Exhibit 1).

Regarding case management in the jail, K Etherton reported 126 individuals have been served with 78% having not returned to custody. The jail is also working with the Lincoln Regional Center (LRC) for competency restoration in the jail.

4) AGENCY AND ORGANIZATIONAL UPDATES

A. Courts

Phillips reported Judge Otte is retiring and Judge McManaman will take over Drug Court.

Vest stated there was a report at the recent Board of Corrections meeting that the judges were concerned about the individuals being released on PR bonds and then reoffend. Prey said PR bonds not allowed until after a Blood Alcohol Content (BAC) test result is .08 or below along with other factors. Of the 741 individuals arrested in the last quarter, 16 individuals returned to the jail within 24 hours of being released on a PR bond.

B. City Attorney

Christie stated the pre-trial detention subcommittee has not met recently. He will revisit the committee soon.

C. County Attorney

Condon reported Bruce Prenda is no longer with the County Attorney's Office. There are two open attorney positions in the office.

D. Public Defender

Nigro indicated that there has been a large amount of staff turnover in the Public Defender's Office.

E. Law Enforcement

Ewins said the LinkPoint program (intoxication intake program) has had 39 intakes since September. The staff tries to connect detainees to community services while they are there. Prey added the jail has not received many Civil Protective Custody (CPC) cases since the program began. Additionally, LPD is adding a Homeless Coordinator position.

Wagner reported the Sheriff's Office has hired 4 new deputies and staffing is at full capacity.

Prey stated there are four open positions at the jail.

Wagner exited the meeting at 8:34 a.m.

F. Probation

No updates were given.

G. Service Providers

Fisher-Erickson reported Lutheran Family Services rebranded in August. Additional funds have been secured for care coordinator positions. Open Access telecare services are still available for clients and are going well.

H. Other Community Partners

Young stated St. Monica's is working on a capital campaign to extend long term services including half-way houses and family treatment programs.

Randa reported the Good Neighbor Center has been assisting refugees from Afghanistan.

S Etherton said the Mental Health Crisis Center (MHCC) has an open psychologist position.

5) ACTION ITEM: UPDATED BYLAWS

Derbin stated a copy of the 2018 Justice Council bylaws was never signed. He reviewed the proposed updates to the bylaws (see agenda packet).

MOTION: K Etherton moved and Vest seconded approval of the updated bylaws. Christie, Condon, Curry, K Etherton, S Etherton, Ewins, Hoyle, Nigro, and Schorr voted yes. Johnson, Ramzah, Scalora, Shobe, Wagner and Wesley were absent. Motion carried 10-0.

6) NEXT MEETING – FRIDAY, FEBRUARY 3, 2023

7) ADJOURNMENT

Informational only.

There being no further business the meeting was adjourned at 8:40 a.m.

Submitted by,

Leslie Brestel
County Clerk's Office