

**MINUTES**  
**LANCASTER COUNTY-CITY OF LINCOLN JUSTICE COUNCIL**  
**FRIDAY, NOVEMBER 5, 2021**  
**605 S. 10TH ST. ROOM #137A TRAINING ROOM**  
**7:30 A.M. - 9:00 A.M.**

*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 5, 2021, and published in the Lincoln Journal Star print edition and website on November 1, 2021.*

*A copy of the Nebraska Open Meeting Act was available on the wall at the back of the room.*

**PRESENT:** Rick Vest and Deb Schorr, County Commissioners; Brad Johnson, Corrections Director; Kim Etherton, Community Corrections Director; Dave Derbin, Chief Administrative Officer; Jeff Curry, Chief Probation Officer, Adult Probation; Dean Rohwer, Probation Office, Adult Probation; C.J. Johnson, Regional Administrator, Region V Systems; Ben Houchin, Chief Deputy Sheriff; Steven Wesley, Youth Services Center Director; Ken Prey, Jail Administrator; Jane Raybould, City Councilmember; Pat Condon, County Attorney; Marty Fehringer, University of Nebraska-Lincoln Police; Landon Parks, Community Corrections Program Manager; Laurie Yardley, County Court Judge; Yohance Christie, City Attorney; Joe Nigro, Public Defender; Spike Eickholt, Government Liaison, American Civil Liberties Union (ACLU); Teresa Ewins, Chief, Lincoln Police Department; Tom Randa, Good Neighbor Community Center Executive Director; Julie Fisher-Erickson, Associate Vice President of Health and Wellness, Lutheran Family Services of NE, Inc.; and Leslie Brestel, County Clerk's Office

Commissioner Schorr opened the meeting at 7:30 a.m. Copies of meeting materials were made available.

**AGENDA ITEM**

**1) APPROVAL OF JUSTICE COUNCIL MINUTES FOR AUGUST 6, 2021**

**MOTION:** Vest moved and Brad Johnson seconded approval of the August 6, 2021, meeting minutes. Motion carried unanimously.

**2) COMMUNITY CORRECTIONS UPDATE – Kim Etherton, Community Corrections Director**

Etherton stated house arrests are full. A Treatment Diversion program has been instituted for individuals that would have been eligible for Adult Drug Court but due to statute changes are no longer eligible. Parks added this program is a pre-plea program where the participants may not have the same investment as a post-plea individual.

**3) CORRECTIONS UPDATE – Brad Johnson, Lancaster County Corrections Director**

**A. Population Statistics and Charts**

Johnson reviewed a PowerPoint presentation (see agenda packet). The current number of inmates is

approximately 96% of the jail's operation capacity which makes it difficult to maintain COVID cohort groups. A population below 590 individuals is ideal to be able to maintain the cohort groups. He would like to get rapid COVID tests in a large quantity to test cohort groups before placing those individuals within the general population to help alleviate COVID spread within the jail.

Johnson said pretrial felons account for 60% of the jail population (see agenda packet).

Concerning the Lincoln Regional Center (LRC) wait times and outpatient competency restoration, CJ Johnson stated Blue Valley Behavioral Health has been contracted for services and they are trying to hire employees to do the restorations. He was not sure that the Regional Center capital construction was going to increase bed space. When the behavioral health reform happened in 2004, the behavioral health system was to have 90-100 beds available at the LRC. With court ordered competency restorations, that number was decreased to 40 beds. This has led to a capacity crisis at all levels of behavioral care and law enforcement. The LRC is also experiencing staffing shortages. Prey added Lancaster County has 25 individuals on the waiting list to be admitted to the LRC. The first available admittance for an individual from the County is 56<sup>th</sup> on the waiting list.

Christie asked if individuals diagnosed with COVID are being admitted to the hospital. Brad Johnson answered not at this time. COVID vaccinations are being offered at the jail, with approximately 25 given per week.

Vest exited the meeting at 8:01 a.m.

Christie proposed a subcommittee be created to look at pretrial detention to address some of the concerns including charges, bond amounts and demographics. Meetings of the committee would be held in between the Justice Council meetings. Christie volunteered to chair the committee while Nigro, Eickholt, Condon, Curry, Brad Johnson, Houchin, and Ewin offered to serve on the committee.

Vest returned to the meeting at 8:05 a.m.

Houchin said he would like the subcommittee to review the continued return of individuals through the system and the effect on law enforcement. Ewin stressed her concern is that the subcommittee would be reviewing the violations individuals are originally charged with as there can be a reduction of charges.

#### **4) INTRODUCTION – Teresa Ewins, Lincoln Police Department Chief**

Ewins introduced herself and discussed her career background. She stated she is looking to partner with various departments and community agencies, develop new policies and restructure the department to include lieutenants.

#### **5) AGENCY AND ORGANIZATIONAL UPDATES**

##### **A. Courts**

Yardley reported court operations and cases are back to normal. She felt the Zoom offerings will continue and have helped with the failure to appear rate. Night Court is offered every other month.

Nigro asked if a Warrant Amnesty session could be held during the next Night Court.

**B. City Attorney**

No updates were given.

**C. County Attorney**

Condon led general discussion on the challenges of Zoom use in the courtroom.

**D. Public Defender**

No updates were given.

**E. Law Enforcement**

Houchin stated two individuals have taken the active bystandership training for law enforcement. All command staff and supervisors will attend the training in December. The Sheriff's Office is researching using Bandit restraining equipment in certain situations as opposed to handcuffs or tasers. Also, all open positions have been filled.

Fehringer added the University of Nebraska-Lincoln (UNL) officers are also holding trainings and having staffing issues.

**F. Probation**

Curry reported DUI Court has 13 individuals with a capacity of 20. Veterans Court recently had two graduates.

**G. Service Providers**

Fisher-Erickson stated Lutheran Family Services (LFS) has started OpenAccess for behavioral health evaluations. LFS will assist law enforcement with crisis response calls.

CJ Johnson said the behavioral health system is seeing a \$16,000,000 lack of funding drawdown because of Medicaid expansion. Medicaid rates are lower than service provider rates and payments to providers take a long time. Region V is reviewing how to use the funding to fill gaps in services including dialectical behavioral therapy, training for motivational interviewing and the 988 mental health crisis line.

Eickholt discussed LB263 (Require occupational boards to issue certain credentials based on credentials or work experience in another jurisdiction), noting the difficulty of finding staff due to the credential limitations because of the statute.

**H. Other Community Partners**

Eickholt felt it would be in the interest of the counties to suggest the State invest funds in mental

health services at the state level. Schorr added the Nebraska Association of County Officials (NACO) has funding for mental health services as one of their priorities.

Schorr introduced Steven Wesley, Youth Services Center Director.

**6) NEXT MEETING – FRIDAY, FEBRUARY 4, 2022**

Informational only.

**7) ADJOURNMENT**

There being no further business the meeting was adjourned at 8:53 a.m.

Submitted by Leslie Brestel, County Clerk's Office