

MINUTES
LANCASTER COUNTY-CITY OF LINCOLN JUSTICE COUNCIL
CITY-COUNTY BUILDING, ROOM 112
FRIDAY, NOVEMBER 6, 2020
7:30 A.M. – 9:00 A.M.

Advance public notice of the meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site on November 5, 2020. 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; Kim Etherton, Community Corrections Director; Bruce Prenda, Chief Deputy County Attorney; Dave Derbin, Chief Administrative Officer; Pat Condon, County Attorney; Jeff Curry, Chief Probation Officer, Adult Probation; Shannon Morgan, Probation Officer, Adult Probation; Joe Nigro, Public Defender; Spike Eickholt, Government Liaison, American Civil Liberties Union (ACLU); Hassan Ramzah, University of Nebraska-Lincoln Police; Landon Parks, Community Corrections; Jeff Bliemeister, Lincoln Police Department; Yohance Christie, City Attorney; Jessica Kerkhofs, Chief Assistant City Attorney; Brad Johnson, Corrections Director; Ken Prey, Jail Administrator; Ben Houchin, Chief Deputy Sheriff; Scott Etherton, Mental Health Crisis Center Director; C.J. Johnson, Regional Administrator, Region V Systems; Kerry Dean, Human Services; and Leslie Brestel, County Clerk's Office

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

Introductions were made by those in attendance.

AGENDA ITEM

1) APPROVAL OF JUSTICE COUNCIL MINUTES FROM AUGUST 7, 2020

MOTION: Vest moved and Brad Johnson seconded approval of the August 7, 2020 meeting minutes. Motion carried unanimously.

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

A. COVID Update

Kim Etherton stated early in the year the Community Corrections programs had slow down due to the pandemic. Now, the program numbers are back to last year's levels.

B. Reentry Enhancement Grant

Kim Etherton said the men's reentry grant continues with data collection and research on the project. She said the program is going well.

The enhancement grant received in 2019 to place reentry case management, peer support and programming in the jail and to expand the program to females is underway. Two female clients were

accepted into the program. The in-house jail case management and mental health specialists have been hired. These individuals will assist with treatment planning for jailed individuals. If mental health or substance abuse programming is deemed necessary for an individual, those programs can begin immediately.

Kim Etherton said a clinician has been hired to provide treatment services for the upcoming Driving Under the Influence (DUI) Court and Treatment Diversion program. These programs will begin in January.

Condon said there are many court cases for individuals involving small amounts of drugs. He felt if individuals could be placed in proper treatment programs, then many jail stays and court cases could be avoided. For individuals who want to be part of the Treatment Diversion program, Risk and Needs Triage (RANT) assessments will be administered to find appropriate treatment programs for clients. Currently, RANT assessments and data are completed by hand. He said he would like to automate the Risk and Needs Triage (RANT) assessment.

Nigro asked if the eligibility for the Diversion Treatment program will be flexible. Condon answered there will be guidelines and reviews as it is a new program. He anticipated seeing individuals with multiple prior convictions and those individuals would be in high-risk, high-needs categories.

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

A. COVID Update

No update was given.

B. Population Statistics and Charts

Johnson reviewed a PowerPoint presentation (see agenda packet). He noted the female population has decreased; therefore, he has been able to use a reserve housing unit for the male population.

Regarding the population statuses, Johnson said 67% of the jail population is felony convictions.

Johnson noted the number of inmates housed on custodial sanctions may be artificial for 2020 due to the pandemic. Prenda stated the County Attorney's Office has been working with Probation to try and eliminate some of the shorter custodial sanctions. At this point, the requests are for longer sanctions, but there are fewer requests. Curry added there is a statewide decrease in Post-Release Sanctions (PRS). The County has had a 31% decrease from last year. There is a jail release projection of a 50% decrease from last year. He stressed there is an effort to make custodial sanctions the last resort.

Schorr asked Johnson if he has noticed any extra challenges this year in recruiting a diverse staff. Johnson answered the jail has struggled for years in hiring enough staff. He felt there have been minority candidates that have applied for open positions. He added due to the pandemic there is apprehension in coming into a closed environment.

Johnson said he felt anxiety surrounding the pandemic has been a contributing factor in the increase of assaults within the jail.

Regarding COVID testing, Johnson stated individuals are tested based on symptoms or a known exposure at intake. Additionally, two staff members have tested positive since the presentation was published, bringing the total number of staff positive COVID cases to 14.

C. State IDs

Kim Etherton said individuals being released from the jail are running into complications when attempting to get a State ID when they do not have a certified copy of their birth certificate. In order to get a copy of a birth certificate, the individual must have a valid ID. Johnson added the State has worked with the Department of Motor Vehicles (DMV) so that the State Department of Corrections can issue an ID for those without access to a birth certificate. A meeting has been set with the State to see if County Corrections can modify that practice.

4) SPECIAL PRESENTATION ON THE INTERSECTION BETWEEN JUVENILE AND ADULT JUSTICE – Bruce Prenda, Chief Deputy Lancaster County Attorney; Kerry Dean, Diversion Office, Lincoln-Lancaster County Human Services

Prenda reviewed a presentation (see agenda packet). Data is being studied at the University of Nebraska-Lincoln (UNL) to help address disparities in the juvenile justice system.

When looking at how decisions are made for juveniles who commit adult offenses, Prenda said all youth assistance programs are reviewed to see how the youth may benefit. The County Attorney's Office is obligated to consider the charges as these programs are reviewed. If the defense wants an adult charge transferred to the juvenile court, the judge will go through the criteria and determine the appropriate court.

Prenda stated the County Attorney's Office has seen an increase in felony crimes within the last year, specifically there have been seven homicides. Much of the behavior that is leading up to homicides and other violent crimes is being performed by youth (18-22 years of age). Currently there are 12 open homicide cases, one of which has seven defendants, and some of those defendants are juveniles. There are 32 open homicide-related cases.

Bliemeister added the City of Lincoln Police Department (LPD) has seen a 20.5% increase in violent crimes and a 108% increase in assaults on LPD officers.

5) AGENCY AND ORGANIZATIONAL UPDATES

A. Courts

No updates.

B. City Attorney

Kerkhofs said the Warrant Night held in September was not as successful as previous ones.

C. County Attorney

Condon noted the DUI Court policies and procedure manuals have been sent to the Supreme Court.

D. Public Defender

Nigro reported there have been some technical issues with the court reminder text messaging program. The issues are being worked on. One successful case of the reminder system is an individual drove to Nebraska from out of state on Warrant Night. He added the criminal justice system needs to be changed to fix the racial disparity in the jail.

E. Law Enforcement

Houchin stated the Fugitive Task Force work could account for some of the increase in the jail numbers.

When asked about the number of calls for service, Bliemeister answered there are an increased number of 911 calls.

F. Probation

Curry said Probation is looking forward to DUI Court beginning in January.

G. Service Providers

Scott Etherton reported admissions at the Mental Health Crisis Center have decreased the last six months, probably due to COVID.

C.J. Johnson stated Region V is able to provide COVID gap funding for service providers. He added 54% of behavioral health providers have closed doors or limited services due to lack of funding.

H. Other Community Partners

No updates were given.

6) NEXT MEETING – FRIDAY, FEBRUARY 5, 2021

Informational only.

7) ADJOURNMENT

There being no further business the meeting was adjourned at 8:43 a.m.

Submitted by Leslie Brestel, County Clerk's Office