

**LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION
MEETING SUMMARY**

Thursday, April 19, 2007

Members Present: Judge Kathleen Voor Montano, Chair; Dave Stengel, Vice-Chair; Sheriff John Aubrey; Tom Campbell; Patricia Combs; Sheriall Cunningham; Walker "Critt" Cunningham; William DeNardi; Judge Audra Eckerle; Elisa Freeman-Carr; Dan Goyette; Roger Henderson; Richard Lewis; David Nicholson; Frank Dufon (Designee for Tracy Reinhold); Rev. Charles Duncan; Tim Vize; Clarence Williams; and Maj. David Wood (Designee for Chief White).

Excused Members: Richard Badaracco; Judge Stephen George; Judge Steve Mershon; Councilwoman Tina Ward-Pugh; and Louis Willis.

Guests Present: Marty Meyer (Representative of Congressman Yarmuth); Julie Hayes (District Court Administrator); Peggy Kidwell (Criminologist); Beau DeAtley (citizen); and Dave Voorhis (Consultant to Metro Corrections Department).

Staff Present: Kim Allen; Bruce McMichael; and Faith Hartlage.

I. WELCOME/CALL TO ORDER

Judge Montano called the meeting to order, welcomed all in attendance, introduced guests, and called for introductions.

II. APPROVAL OF MEETING SUMMARY OF FEBRUARY 15, 2007 MEETING

The meeting summary of the February 15, 2007 meeting was unanimously approved as submitted.

III. CHAIR'S REPORT

Judge Montano reported that an interesting panel on the status of sex offender treatment is scheduled for the May 17th meeting. Panel members will include Dr. James Van Nort, Program Administrator for the Sex Offender Treatment Program, Kentucky Department of Corrections; Matt Veroff, Licensed Clinical Social Worker, private practice; and Robert Lanning, Chair of the Sex Offender Management Task Force. As background information, copies of recent articles from the *New York Times* on sex offender treatment have been included in the agenda packet.

Judge Montano extended thanks to everyone who completed the Criminal Justice System Stakeholder Survey; 234 surveys were distributed and 83 were returned to date, which is a 35% return rate. Staff is in process of analyzing the results and will have a preliminary presentation for the May meeting.

IV. PRESENTATION

Judge Denise Clayton, Circuit Court Judge and Chair, Jefferson County Commission on Racial Fairness, was scheduled to present; however, she was unable to attend due to an ongoing jury trial. She will be rescheduled to present at a future meeting.

V. STAFF UPDATES

Legislative Committee - Bruce McMichael reported that during the 2007 legislative session a total of seven criminal justice legislative bills being tracked by the Committee passed and were signed by the Governor. The successful legislation included House Bill 114, relating to jail canteens; HB 191, permitting a local jail to transfer a prisoner to the Department of Corrections for specialized or long-term medical care and requiring the crime victim and prosecutor to be notified for medical parole hearings; Senate Bill 59, known as the *Boni Frederick Bill*, relating to security and safety of social workers; Senate Bill 65, requiring sex offenders to register internet communications identities; Senate Bill 104, expanding the Crisis Intervention Team training; and Senate Bill 88, providing changes to the controlled substance statute involving Non-Drug Asset Forfeitures and the distribution of the assets. At the February 15th Commission meeting, a motion was made and approved to send a resolution to the Kentucky Legislature opposing SB 88. However, after further research and communicating with Dave Stengel and the Commonwealth Attorney's Association, it was determined that the revised legislation would be beneficial to law enforcement and to the Commonwealth and County Attorneys; therefore, it was decided to not submit the resolution.

Drug Court Transition Work Group - Judge Montano reported that the second meeting of the Work Group was held on March 22nd when members met with Jason Nemes, Director, Administrative Office of the Courts (AOC) and members of his staff. They discussed key transition issues such as staff/salaries; treatment licensure; space; operating policies; and drug screens. While there is recognition by AOC of special needs in Jefferson County and a willingness to work out many of the issues, a number of issues remain unresolved. To date, several members of the Adult Drug Court Program staff have resigned, the space issues for Drug Court staff and clients have not been finalized, and concerns remain that program/service disruption will have an adverse impact on the clients. The next meeting of the Drug Court Transition Work Group is scheduled for April 24th.

VI. DIRECTOR'S REPORT

Kim Allen presented the Director's report and began by mentioning the recent retirement of Cheryl Cooper, Administrative Assistant to both the Metro Public Protection Department as well as to the Criminal Justice Commission. Cheryl's position will not be filled; however, Tracey Neathery, has been hired to fill Barbara West's position of Administrative Coordinator and will be introduced at the May Commission meeting.

Kim reported that Stephanie Stidham was unable to attend today's meeting because representatives from the federal government are visiting Louisville conducting a program audit of the Urban Areas Security Initiative (UASI) grant. They are meeting with representatives from Louisville Metro Police, Louisville Division of Fire, MetroSafe, and the Health Department. All indications are that everything is going well.

Kim announced that May is *Older Americans Month*, and noted that Stephanie is working with the Mayor's Office and the Elder Abuse Services Coordinating Committee preparing for a press conference when members will receive notification when the date has been set.

VII. NEW BUSINESS

Tom Campbell introduced Dave Voorhis, a consultant conducting a jail population study on behalf of Metro Corrections. The study will provide population projections and look at the impact the criminal justice system has on the jail. During the course of the analysis, Mr. Voorhis hopes to meet with Commission members who are also stakeholders in this effort. Kim mentioned that there are several sources of data that must be accessed, including court data, to assist with analyzing the jail population, and noted that the Jail Policy Committee will be reconvened soon to review data gathered from this study.

Judge Eckerle raised concerns, such as lack of oversight, recently discussed by the Jefferson District Court Judges regarding AOC's *Monitored Conditional Release Program*. Following a meeting with Jason Nemes, she sent a letter on behalf of the District Term outlining the 13 mandatory conditions that must be met for the Court's continued participation in the program. Although the program is beneficial to the community, the problems encountered by the Term must be addressed and corrected. During the meeting, Mr. Nemes agreed to all the conditions and will implement them as soon as possible. The District Court Judges will meet again in a month to review compliance with all the conditions outlined in the letter. She also indicated that if non-compliance issues arise during the month, the Term may meet earlier.

Additionally, Judge Eckerle reported that issues have been raised reference lack of compliance with AOC's *Pretrial Service No Insurance Monitoring Program*. Involved parties, including judges, County Attorney, Circuit Court Clerk's Office, and others are meeting regularly to discuss procedures and problematic areas in an attempt to effect

appropriate changes – progress is being made. As part of this effort, she asked if the Criminal Justice Commission could work with AOC's Pretrial Services to obtain necessary data and provide statistical information regarding the program, similar to the statistics shared with stakeholders involving warrants within Jefferson County. Kim noted that Patricia Boyd-Shaw is the new Manager of Pretrial Services who replaced Marjean Martin, but that she was unable to attend today's meeting. Kim and Bruce will contact Ms. Boyd-Shaw and meet to discuss this issue.

Sherrill Cunningham reported that May is also *Mental Health Month*.

VIII. ADJOURN/NEXT MEETING

With no further business before the Board, the meeting was adjourned. The next scheduled meeting is Thursday, May 17, 2007 at 2:00 p.m. in the Crown Room of the Judicial Center.